United Nations S/PV.4896

Security Council

Fifty-ninth year

Provisional

4896th meeting

Monday, 19 January 2004, 10 a.m.

New York

President:	Mr. Muñoz	(Chile)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	China	Mr. Wang Guangya
	France	Mr. Duclos
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	Spain	Mr. Arias
	United Kingdom of Great Britain and Northern Ireland	Mr. King
	United States of America	Mr. Holliday

Agenda

Small arms

Report of the Secretary-General on small arms (S/2003/1217)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-21057 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Small Arms

Small arms: Report of the Secretary-General (S/2003/1217)

The President (*spoke in Spanish*): I would like to inform the Council that I have received letters from the representatives of Armenia, Canada, Colombia, Costa Rica, Egypt, India, Indonesia, Ireland, Japan, Mali, Mexico, New Zealand, Norway, Peru, Republic of Korea, Syrian Arab Republic, Sierra Leone, South Africa, Switzerland, Ukraine and Zimbabwe, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Nobuyasu Abe, Under-Secretary-General for Disarmament Affairs.

There being no objection, it is so decided.

I invite Mr. Nobuyasu Abe to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General, entitled "Small arms", document S/2003/1217.

In accordance with the understanding reached among Council members, I wish to remind all speakers to limit their statements to no more than five minutes, in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

As a measure to optimize the use of our time, in order to allow as many delegations to take the floor as possible, I will not individually invite speakers to take seats at the table, and invite them to resume their seats on the side. When a speaker is taking the floor, the conference officer will seek the next speaker on the list at the table. I hope that I have your understanding regarding those changes, given the fact that there are 15 speakers in the Council and on this occasion 20 or 21 speakers under rule 37.

I now call on Mr. Nobuyasu Abe, Under-Secretary-General for Disarmament Affairs, to introduce the report of the Secretary-General. I give him the floor.

Mr. Abe: Allow me to introduce the report of the Secretary-General on small arms as contained in document S/2003/1217. The present report was prepared by the Department for Disarmament Affairs in close consultation with the Department of Political Affairs, the Department of Peacekeeping Operations and the International Criminal Police Organization (Interpol). Pursuant to the request made by the President of the Security Council in his statement on 31 October 2002, the report provides an overview of the implementation of the recommendations contained in the Secretary-General's previous report on small arms (S/2002/1053). Those recommendations covered four main topics, namely: first, the implementation of the Programme of Action on Small Arms and Light Weapons; secondly, Security Council mandated sanctions and arms embargoes; thirdly, conflict prevention, peace-building and the demobilization, disarmament and reintegration of former combatants; and fourthly, confidence-building measures.

The present report highlights the progress made in respect of tracing illicit small arms and light weapons; demobilization, disarmament and

reintegration; control over the export and transit of small arms and light weapons; the links between illicit small arms and light weapons and the illicit exploitation of natural and other resources, and transparency in armaments.

The report also identifies some areas of greater challenge, namely: the enforcement of Security Council resolutions on sanctions; the imposition of coercive measures against Member States that deliberately violate arms embargoes; restriction on the supply of ammunition to areas of instability; and the need to finance demobilization, disarmament and reintegration programmes through the assessed budget for peacekeeping operations.

Today's open debate on small arms takes place in the wake of two events of particular significance in the global fight against the proliferation of illicit small arms and light weapons. I am referring first, to the First Biennial Meeting of States, held in New York from 7 to 11 July 2003, which allowed States, international and regional organizations and civil society to draw lessons from the first two years of implementation of the Programme of Action adopted at the July 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; and secondly, the establishment, by the General Assembly at its fifty-eighth session, of an open-ended working group to negotiate an international instrument on tracing illicit small arms and light weapons, which will start its substantive work soon.

The Secretary-General is encouraged by the continued efforts of the Security Council to address the challenge posed by illicit small arms and light weapons in the context of situations under the Council's consideration. I trust that this meeting will contribute to strengthening the achievements obtained thus far, as well as to identifying the best approaches to address the areas of continued concern.

The President (*spoke in Spanish*): On behalf of the Council, I thank Mr. Abe for his introduction. I will now give the floor to Council members, beginning with the United Kingdom.

Mr. King: We welcome the Secretary-General's report and today's meeting. The United Kingdom recognizes the influential and significant role to be played by the Security Council in supporting the General Assembly and the United Nations Programme of Action in the fight against the proliferation and the misuse of small arms and light weapons. The United Kingdom is committed to the full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Indeed, we have contributed some £20 million to the programme over recent years.

We fully support the development of an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons and believe the establishment of an open-ended working group is an important step towards that goal.

Export controls are an essential tool in helping to curtail illicit trafficking in small arms and light weapons. One measure to improve such controls would be to enhance the effectiveness and verification of end-user certificates. The United Kingdom strongly believes some evaluation of the environment in which an end-user certificate is issued should also be taken into consideration, for example, taking account of whether the end-user is a realistic destination for the type and quantity of goods listed.

Looking ahead, we attach great importance to the biennial meeting of 2005 which will be a crucial step towards the preparation of the 2006 review conference — an evaluation of the programme of action. Leading up to the 2006 meeting, the United Kingdom aims to work with others to promote progressive policies on small arms internationally.

Last year, the United Kingdom launched two very relevant initiatives. The first was the transfer control initiative, which seeks to raise awareness and build consensus subregionally, regionally and internationally on the need to develop harmonized guidelines on small arms transfers, with a view to developing international agreement by the United Nations small arms review conference in 2006. The second was the armed violence and poverty initiative, which aims to document the impact of arms on poverty and to encourage donors, the international financial institutions and developing countries to design development programmes which take account of and seek to address the root causes of armed violence.

But much more needs to be done if these initiatives are to have a lasting impact. On the transfer control initiative, the United Kingdom will use the next year as an opportunity to build consensus with, we

hope, others in Central and South America, South-East Asia and East, West and Southern Africa. Next year, we and our partners will try to build consensus within the European Union, the United Nations and possibly also the Group of Eight. While we do not expect the task to be easy, if we sustain our efforts from now until the United Nations review conference takes place in 2006, we believe that the initiative stands a real chance of success.

We welcome the recent decision to expand the scope of the United Nations Register of Conventional Arms as a global transparency and confidence-building measure. We welcome the Secretary-General's recommendation that the Council call for the strict enforcement of embargoes to countries or regions threatened by, engaged in or emerging from armed conflict. We welcome the Security Council focus on practical measures, including further consideration of financing and improving disarmament, demobilization and reintegration and incorporating the process into the mandate of peacekeeping operations. We believe that this could make a real contribution on the ground. We support these and other practical measures and believe that they will have an impact.

As you know, Mr. President, we support efforts by the international community to tackle the problems of weapons of mass destruction. In large parts of the world, small arms and light weapons are weapons of mass destruction, killing perhaps as many as half a million people a year. We shall continue to support United Nations efforts to tackle this terrible blight with all our energy.

Mr. Motoc (Romania): Romania associates itself with the statement to be delivered later by the Irish Presidency of the European Union (EU). In addition, I would like to make some specific comments on the topic under consideration today. We commend the Secretary-General for his comprehensive and useful report, and express Romania's support for the recommendations contained therein.

The problems caused by small arms make this question not just one of disarmament, but also one of development, democracy, human rights and human security. More than 650 million small arms are in circulation throughout the world — more than one in nine, in terms of the population of the planet. The civilian population is affected by the negative aspects of small arms and light weapons, in both developing and developed countries. That sombre reality makes the topic under discussion today a global one.

The illicit traffic in and flow of small arms and light weapons is a source of instability and human suffering. But it also feeds organized crime and terrorism and is capable of undermining peace initiatives. The proliferation of these weapons exacerbates conflict, sparks refugee flows, undermines the rule of law and spawns a culture of violence and impunity. The result can be a destabilizing accumulation of such weapons, sponsoring civil war and creating public disorder, the displacement of the population and the blocking of economic and social development. In almost all of the conflicts that took place in the past decade, ranging from the Great Lakes region of Africa to the Balkans and Central and South Asia, the weapons used by the various parties were mainly small arms and light weapons. Their availability may prolong fighting, reduce the willingness to negotiate peaceful solutions and limit the capacity of States and international organizations to engage in conflict prevention, management and resolution efforts.

These arms are used by criminal organizations operating on either a national or transnational basis. As a result, the militarization of crime becomes a threat not only to countries torn by internal conflict but also to States that are free from instability, but which are used as routes of transit or trans-shipment for illegal transactions.

Countries facing economic and social difficulties are especially vulnerable to additional challenges posed by illicit traffic in arms and drugs. An increase in crime and violence can become a serious obstacle to national development and well-being.

On the other hand, countries have the right to self-defence in accordance with the United Nations Charter. Arms production and transfers for that purpose are therefore legitimate. Transfers should therefore be conducted in a very responsible manner. The arms industry must be carefully controlled by Government policies and regulations, and clear and strict criteria on arms exports should be implemented.

There are no simple solutions, however, and no single method for dealing with the impact of the illicit trade in small arms. Political commitments can, however, make a critical difference in saving lives and easing suffering.

In recent years, an increasing number of States have committed themselves to abide by and implement regional and international standards to enhance export controls in order to prevent the illicit traffic in small arms and light weapons. The United Nations Programme of Action, the Organization for Security and Cooperation in Europe (OSCE) document of 2000 and the EU Code of Conduct and other related EU documents are the most relevant standards in place. The effective implementation of such commitments is indeed a complex and challenging task which requires not only political will and adequate resources, but also transparency, coordination and cooperation in order to identify and develop a common understanding of procedures, standards and mechanisms to enforce controls.

Most countries already have in place laws and regulations that are used to control the production, use and transfer of small arms and light weapons. However, in some countries these existing laws appear to be inadequate, while control procedures can be vulnerable to misuse. As a country with a mature export control system and responsible conduct with regard to arms transfers, Romania will further promote the full implementation of the agreed international instruments and standards on small arms and light weapons. Romania's policy on small arms will continue to be focused on combating illicit trafficking, pursuing a responsible and transparent policy on legal transfers and promoting the removal and destruction of surpluses.

In implementing its commitments under the Programme of Action, early in 2002 Romania embarked on a programme of destruction of its surplus of small arms and light weapons, with financial assistance from the United States, the United Kingdom, the Netherlands and Norway. Romania stands ready to share its experience with all countries and to assist other States in establishing and developing sound export control systems.

As the current report of the Secretary-General indicates, some progress has been achieved so far at the global, regional and national levels. Yet a lot issues relating to small arms and light weapons remain to be discussed and agreed upon by means of elaborating and enforcing international norms and regulations in this field. The fight against terrorism and organized crime demonstrates the need for security forces to be well trained and equipped to respond effectively to such threats. It also shows that we need effective controls to ensure that terrorist groups and criminals do not have access to such weapons. We are not yet close to achieving global legal standards which would help keep small arms away from human rights abusers. One step forward is the United Nations Firearms Protocol to the United Nations Convention against Transnational Organized Crime, and Romania has started the legal procedures for accession to that international instrument.

The Security Council has a major role to play in making small arms a focus of global attention and action. It could add value by improving the effectiveness of its arms embargoes, by putting an end to the economy of war, by encouraging moratoriums of arms sales to conflict regions and by supporting disarmament, demobilization and reintegration programmes.

The minimum requirement for Governments to report to the United Nations on their small-arms activities, including new categories, such as man-portable air-defence systems (MANPADS), must be raised. In this respect, Romania welcomes the international efforts made and the positive results achieved in 2003 in order to limit MANPADS.

Romania supported the inclusion of this new category in the United Nations Register of Conventional Arms transfers, and a Romanian representative participated in the expert group that issued that recommendation.

Romania welcomed the OSCE Maastricht decision regarding the inclusion of MANPADS in the annual reports relating to OSCE Document on Small Arms and Light Weapons, as well as the Wassenaar Arrangement plenary decision regarding the notification of MANPADS exports.

Weapons management, and in particular the control of civilian possession of small arms and light weapons in post-conflict societies, is central to longer-term human security. This will be effective only if it takes place within the framework of comprehensive programmes of security reform, subject to the authority of civilian representative governments. These are only a few, but important, elements that, I believe, we all have to consider in our future undertakings.

Mr. Akram (Pakistan): Let me first congratulate you, Mr. President, on your initiative on small arms. I

will abbreviate my statement in the light of your prescriptions this morning.

The easy availability of small arms and light weapons continues to stoke conflicts, increase their intensity and cause a high number of casualties, apart from making peacekeeping much more complicated and risky.

The Secretary-General's report highlights the significance of effective governmental control over the export and transit of small arms, meaningful disarmament, demobilization and reintegration (DDR) programmes in post-conflict situations, and greater attention to end-user certificate systems and illicit brokering activities.

We are also encouraged by the fact that the Programme of Action on the illicit trade in small arms is in the process of implementation. The Biennial review Meeting has noted forward movement and identified areas where more efforts will be needed. The establishment of an open-ended working group this year to negotiate an international instrument on marking and tracing is another step forward. We support these efforts.

However, there have been mixed results on the Secretary-General's recommendations. First, we believe that there has been slow response in breaking the vicious cycle of illicit trade in small arms and the exploitation of natural resources. It is important to trace the financial transactions involved in the illicit trade of small arms on the one hand, and the illegal trade of natural resources on the other.

Secondly, DDR has not gathered momentum, primarily because of resource constraints. The Secretary-General has rightly expressed concern that this risks jeopardizing not only the disarmament, demobilization and reintegration operations themselves, but also the entire peace process.

Thirdly, Member States' lack of capacity in the legal and technical areas, especially on the question of marking and tracing, has put further constraints on combating the problem of small arms.

For effective implementation, a host of actions are required at the national, regional and international levels.

First, the developed countries should make available the necessary financial resources to developing countries for capacity-building, including legal and technical expertise and transfer of technology.

Secondly, there should be a stigmatization of all financial transactions involved in the illicit trade of small arms, including those relating to the illegal exploitation of natural resources.

Thirdly, a political commitment and action are necessary to resolve the underlying causes of disputes.

Pakistan has had to grapple with the millions of small arms and light weapons that found their way into our country during the course of the 20-year war in Afghanistan. The Government of Pakistan is vigorously implementing a programme of action on small arms and light weapons. The following measures are noteworthy.

First, the production and manufacturing of small arms and light weapons is undertaken only by the public sector.

Secondly, a record is kept of all types of arms manufactured by the public-sector ordnance factories or imported into Pakistan.

Thirdly, all small arms and light weapons produced are uniquely marked to maintain a distinction for civilian, law enforcement and armed forces uses.

Fourthly, Pakistan observes strict export-control measures for small arms and light weapons, including no-objection certificates, end-user certificates and a consultative governmental process, inter alia to ensure compliance with United Nations embargoes.

Fifthly, reforms have been instituted in the police forces' organizational structure and in the area of their responsibilities and equipment in order to insure against the proliferation of small arms.

And sixthly, a public-awareness campaign was launched in August 2001.

Those measures have yielded encouraging results. As of April 2003, around 250,000 illicit small arms and light weapons of different categories and types were recovered, confiscated and destroyed. A total of 85,000 people were prosecuted in the process of the collection of illegal small arms in circulation. That effort is continuing.

As a front-line State in the global fight against terrorism, Pakistan has established a number of joint

counter-terrorism working groups at the regional level, including with China and the Russian Federation. Pakistan has also proposed similar arrangements with other countries in the region, and we remain hopeful that we will reach bilateral arrangements for this purpose.

A tripartite commission between Pakistan, Afghanistan and the United States was established last year to resolve, among other issues, the problem of the illicit flow of small arms and light weapons across borders.

Pakistan will continue to support comprehensive efforts at the national, regional and international levels to address these other weapons of mass destruction.

Mr. Baja (Philippines): Mr. President, we thank you for having provided the Council and other Members of the United Nations this opportunity to address the important issue of small arms and light weapons, and the Under-Secretary-General for Disarmament Affairs for having presented the Secretary-General's report on the progress so far made on the issue.

Why are solutions in combating the illicit trade in small arms still not in sight? Two reasons stand out: first, the magnitude of the problem, and secondly, the fact that it has been only a little more than two years since the adoption in July 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

The scope of the problem encompasses both the proliferation of millions of loose firearms, which claim millions of lives each year, and the entrenched clandestine system of illegal arms trafficking. Indeed, the problem can be likened to a malignant disease requiring bold and decisive surgery.

This menace to international security — a factor that protracts and complicates armed conflicts and fuels the rise of terrorism and international organized crime — has been identified and internationally recognized as such. The identification and appreciation by the international community of the gravity and complexity of the problem represents a significant accomplishment that will facilitate the adoption and enforcement of appropriate measures. The importance of this first step — the completion of the diagnostic phase — cannot be overemphasized.

The next step concerns the prescriptive stage. Here I would like to focus on two points.

The first area of consideration to which I would like to invite the Council's attention is the value of complementarity between the two vital organs of the United Nations — the Security Council and the General Assembly — which are both seized with the issue of small arms and light weapons.

If we were to examine closely the 12 recommendations of the Secretary-General, some of them fall — appropriately — within the competence of the General Assembly: for instance, recommendations 1, 2, 3, 9 and 12. Recommendations 5, 7, 10 and 11 fall within the Council's competence, while recommendations 6 and 8 concern both the Council and the General Assembly.

The Assembly is seized with establishing universal norms and making rules to control the proliferation of small arms and light weapons. On the other hand, the Council is focused on practical measures such as arms embargoes and disarmament, demobilization and reintegration in conflict situations. We realize, however, that their respective concerns on the issue of small arms are not mutually exclusive, but overlap and complement each other. The nuances of organic competencies should thus be carefully weighed so as not to slow down the progress of work by overburdening the Council with the same issues already under consideration by the Assembly. My delegation therefore supports the holding of consultations between the presidencies of the Council and of the Assembly on this important issue of small arms and light weapons in all its aspects to identify complementarities and to avoid duplication in their work so that the many complexities of the issue can be addressed in the process.

We also recognize that many Member States have undertaken initiatives to address the issue of small arms and light weapons, as reported during the United Nations First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held last year. The Assembly, however, still faces the task of coming up with an international instrument for possible completion before the first review conference on the illicit trade in small arms and light weapons in all its aspects, to be held in 2006.

We welcome General Assembly resolution 58/241, adopted last year, which established an open-ended working group to negotiate an international instrument to enable States to identify and trace illicit small arms and light weapons. In the same vein, the Council must adopt effective and practical enforcement strategies for arms embargoes, for targeted sanctions and for restricting the supply of ammunition to areas of instability. The sanctions committees must be provided by Member States with information on alleged violations of arms embargoes.

The second point I wish to bring to the Council's attention relates to regional and subregional cooperative arrangements to combat the illicit trade in small arms and light weapons. The process leading to regional cooperation should be pursued just as vigorously as the wider multilateral cooperative processes and the national processes of formulating and enforcing legislative and regulatory measures. There should be parallel efforts to develop regional arrangements as a vital segment of the policy continuum. In fact, global experience has shown that the illegal trade in small arms and light weapons has passed mainly through porous border routes in conflict areas.

Promoting regional awareness of the issue and encouraging cooperation among regional partners in the fields of information exchange and training in law enforcement, customs and airport controls, among others, are effective tools to control the traffic in small arms and light weapons. My country in particular benefited from such an exercise in the Regional Seminar on Implementing the United Nations Programme of Action on Small Arms and Light Weapons, held in Manila in July 2002, co-sponsored by the Government of Canada and supported by the United Nations Secretariat. We are aware that similar exercises have been undertaken in other parts of Asia, South-Eastern Europe and Central Africa. We encourage more cooperation in that regard in order to prevent the diversion of small arms and light weapons to terrorist groups.

My country fully recognizes the tragic loss of innocent lives and the insecurity and fear that the proliferation of small arms and light weapons creates among the civilian population of the entire world. My delegation is therefore determined to contribute — together with relevant international organizations, civil society and other actors — to the search for solutions to this global problem.

Mr. Konuzin (Russian Federation) (*spoke in Russian*): We are grateful to the Secretary-General for submitting his report on small arms (S/2003/1217). We have carefully studied that document and the conclusions and recommendations contained in it. They confirm that the United Nations is playing a leading role in taking a comprehensive approach to the resolution of problems related to small arms and light weapons. The Russian Federation consistently advocates enhancing the Organization's coordinating role in that area, primarily in resolving problems involving the illicit trade in small arms and light weapons.

Over the past year, a number of very important activities were held in this area, revealing substantial potential in the international community to fight the illicit trade in such weapons. The holding in July 2003 of the First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects is a clear example of how we can use the potential of the United Nations and of regional and non-governmental organizations in carrying out this most complex effort.

Pursuant to General Assembly resolution 58/241 of 23 December 2003, on the illicit trade in small arms and light weapons in all its aspects, work will begin this year in the open-ended working group to prepare an international document to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. We trust that the establishment of a comprehensive monitoring mechanism will erect a serious obstacle to the illicit trade in small arms and light weapons throughout the world. We are convinced that in future, the main work in this area should be carried out within that framework.

The Security Council has repeatedly tackled problems involving the illicit trade in small arms and light weapons as they relate to conflict situations on its agenda. In that regard, the Council's comprehensive consideration of this subject in March 2003 in the context of resolving complex problems related to maintaining and restoring international peace and security on the African continent — particularly in West Africa — was extremely useful and timely. Great

attention was devoted to that issue during the Security Council mission to Central and West African countries.

The Russian Federation consistently advocates imposing severe measures in cases where weapons are supplied to illegal armed groups. Experience with the imposition of arms embargoes against the Taliban movement in conflict areas has confirmed the effectiveness of such measures when undertaken by the Security Council. Priority also continues to be placed on monitoring compliance with Council-imposed arms embargoes, enhancing the effectiveness of the monitoring machinery for the tracking of violations of such embargoes.

Recently, in the context of conducting peacekeeping operations sponsored by the United Nations, special attention — as reflected in the Secretary-General's report — has been devoted to the disarmament, demobilization and reintegration (DDR) of former combatants and to the inclusion in the mandate of such operations of the collection and destruction of illicit small arms and light weapons, in close cooperation with the parties to conflicts. Donor support for DDR programmes is an important prerequisite for their successful realization.

Particular cases and practical experience related to the settlement of conflict situations convincingly confirm the negative impact of and the direct link among the illicit trade in small arms and light weapons, the activities of illegal armed groups, the illegal exploitation of natural resources, the involvement of child soldiers in conflict, mass violations of human rights and of the norms of international humanitarian law, and transborder crime.

The dangerous linkage between the illicit proliferation of small arms and light weapons and international terrorism is becoming increasingly obvious. We believe it is important that we continue to devote special attention to specific, practical and achievable measures to fight the illicit trade in small arms and light weapons both at the preventive stage and during the post-conflict settlement phase. In that connection, the experience gained by regional organizations is extremely timely and useful.

For its part, the Russian Federation will continue to make a substantial contribution to solving the problem of the illegal trafficking of small arms and light weapons.

Mr. Adechi (Benin) (*spoke in French*): The illegal circulation of small arms across national borders, their abundant availability in certain regions of the world and their improper use are at the root of the prolongation of many civil wars and internal armed conflicts and thus thwart efforts to promote economic and social development.

The situation is particularly worrisome in Africa because the illegal circulation of arms has facilitated and encouraged recourse to force to settle internal political crises, to the detriment of dialogue and negotiation. As well, once conflicts have erupted, the illegal trafficking of light weapons helps exacerbate them. In that context, other particularly worrisome phenomena have arisen: child soldiers, the illegal exploitation of the natural resources of crisis-stricken countries and the emergence of a self-sustaining war economy that makes it difficult to restore peace.

The illicit trafficking of small arms and light weapons constitutes a grave challenge for crisis-stricken countries and the regions to which they belong. Porous borders and weak security and monitoring structures bring the risk of widespread destabilization in certain subregions of Africa. That phenomenon is particularly evident in West Africa.

The impact on the protection of human rights and respect for international humanitarian law is particularly devastating for civilian populations, notably the most vulnerable groups: women, children and the elderly. Internal conflicts increasingly involve non-State armed groups; this complicates the issue of humanitarian action and the protection of human rights. One can thus identify a long list of the harmful consequences of the illicit trafficking of small arms and light weapons. They provide the reasons justifying the mobilization of the international community and the United Nations and the particular attention that the Security Council devotes to this problem.

I take this opportunity to thank the Secretary-General for his report (S/2003/1217), which takes stock of the initiatives undertaken. I would like to express to the Secretary-General my delegation's great appreciation for the progress made in the implementation of the recommendations contained in his previous report (S/2002/1053).

It is encouraging to note that the results of the work of the United Nations Group of Governmental Experts have led the General Assembly to create a

working group tasked with negotiating an international instrument to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. This should strengthen the capacity of States to cooperate in identifying and monitoring small arms in a reliable manner. We hope that this work will make progress; for our part, we intend to contribute actively to that work.

The phenomenon of the illegal trafficking of small arms persists because the monitoring mechanisms are easily eluded and because the exchange of information is inadequate. In that regard, we hope that the results of the feasibility study on Interpol's Weapons and Explosives Tracking System will soon be made known. My delegation believes that the issue of trafficking and that of the illicit brokering in small arms are components of a single problem. Closer cooperation among States and the creation of national registers are therefore essential for the rigorous regulation of this activity.

It is opportune to recall the 31 October 2002 presidential statement of the Security Council (S/PRST/2002/30), which, among other things, underlines the need to study the feasibility of developing an end-user certificate system. The Secretariat could be involved in the framework of support for the efforts of the working group established by the General Assembly.

The Security Council, for its part, could further consider the means to ensure better compliance with embargoes and sanctions. The Council could further consider innovative ways to ensure greater compliance with embargoes on small arms and sanctions that could be imposed, including the possibility of putting an end to the supply of ammunition because, without ammunition, all weapons are harmless.

United Nations support for regional moratoriums, such as that agreed by the countries of the Economic Community of West African States, can help overcome the proliferation of small arms. Here, my delegation would like to underline the importance of the support the United Nations provides for the Programme for Coordination and Assistance for Security and Development in West Africa.

It is crucial to monitor stocks of small arms and their transfer to non-State actors. In that regard, the Security Council must be aware of all the consequences of the triangular relationship among the exploitation of natural resources, the financing of conflicts and the circulation of small arms, and, as a result, should put an end to this trafficking, which fuels wars.

My delegation also wishes to recall the important March 2003 workshop on the proliferation of small arms and light weapons and mercenary activities in West Africa, which made clear the relationships among mercenary activities, the illegal trafficking of small arms and the exploitation of resources in order to finance belligerents.

We welcome the fact that consideration of the regional dimension of African conflicts, particularly in West Africa, has become a widely shared concern. That consideration of the regional dimension of conflicts should enable the strengthening of disarmament, demobilization and reintegration programmes in the framework of the peacekeeping operation mandates. Security Council debates on children and armed conflict and on post-conflict situations should enable us further to examine these questions. At this stage, we will limit ourselves to underlining the need for disarmament, demobilization and reintegration programmes to consider child soldiers in an appropriate manner, taking their specific needs into account.

Mr. Pleuger (Germany): My delegation aligns itself with the statement of the European Union, which will be delivered later by the Irish Presidency.

We welcome the report of the Secretary-General (S/2003/1217), and we also welcome this debate on a subject that has quite a peculiar relationship to international peace and security because small arms, unlike weapons of mass destruction, are mainly held by private individuals, and yet they kill more human beings than any other type of weapon.

There are two key areas where small arms and light weapons have played a prominent role in past deliberations of the Security Council: the disarmament of ex-combatants as part of peacekeeping missions and the imposition of arms embargoes. Perhaps less obvious, but of equal importance for the work of the Council, may be a third area: the prevention of armed conflict through disarmament measures. Let me briefly touch on these three areas.

As a consequence of the increasing complexity of peacekeeping, the disarmament, demobilization and reintegration of former combatants has become a standard element in almost every peacekeeping

mandate the Council has issued in the past few years. There are various approaches to the disarmament of ex-combatants. One approach has been to offer payments for giving up weapons. Such an approach may work in limited cases where there is no likelihood of renewed weapons purchases. Another probably more sustainable approach would be to provide incentives that are more in line with the goal of transforming combatants' military life into civilian life. This can be done by exchanging weapons for development or by providing ex-combatants with opportunities to earn their livelihood through community-related work. Therefore, ways and means to create work for ex-combatants need to be found. This is a top priority in peacekeeping in order to keep ex-combatants away from arms.

Furthermore, we also need to focus on arms stocks, be they of weapons collected from ex-combatants or of weapons held in army depots. Stock-taking, guarding depots and, if necessary, destruction of weapons are essential pre-conditions for successful peacekeeping. The Council must consider this whenever it is working on a mandate for a peacekeeping operation.

Guarding and possibly reducing existing stocks, however, is but one side of the coin. These measures will remain of little effect unless the influx of new weapons is prevented. The Council therefore must continue to intensify its arms embargo policy when it is preparing mandates for peace operations.

However, embargoes serve their purpose only if everyone observes them meticulously. Effective measures must be taken in the field to control possible points of entry for weapons shipments. Peacekeeping units may play an important role in this context. Member States that might be countries of origin or transfer of weapons shipments must be aware of their responsibility under international law to guarantee arms embargoes through measures to control and, if necessary, interdict arms shipments by non-State actors. When monitoring the effectiveness of arms embargoes, the Council has to observe all segments of illicit arms shipments, not just the receiving end.

Efforts are underway in the General Assembly to work out an international instrument on marking and tracing small arms, which will be extremely useful in monitoring illicit arms flows. Germany applies strict national standards on licensing small arms transactions and transfers and has a transparent reporting policy for such licenses. Germany therefore intends to actively support the work of the open-ended working group on marking and tracing, which is about to convene. The Council will no doubt profit from such an instrument, which will facilitate the implementation of arms embargoes. Likewise, efforts to find ways to regulate arms brokerage, which has the full support of Germany, should be continued and intensified. Internationally approved standards on brokerage would also work as a useful tool towards more effective arms embargoes.

In line with the increased awareness for the need of the prevention of armed conflicts, which the Council acknowledged in resolution 1366 (2001), I would like to recall the importance of two elements: first, the elimination of surplus weapons stocks; and secondly, strict governmental control over licit weapons. These are first and foremost these are the responsibility of Member States themselves. Regional organizations may also play an important supportive role. The Programme of Action on Small Arms, mapped out at the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, provides excellent guidance in this respect, and numerous organizations, including the United Nations Development Programme, national aid organizations and non-governmental organizations are prepared to provide know-how and funds for this purpose. The Group of Interested States in Practical Disarmament Measures, chaired by Germany, tries to make its own modest contribution towards that end.

If there are clear indications of massive arms flows into regions with heightened political tensions, the Council, acting under its mandate to secure international peace, should carefully scrutinize the situation and take the necessary action. The imposition of an arms embargo sooner, rather than later, might help to keep things under control. Likewise, the Council may want to consider the freezing of funds used by non-State actors to acquire small arms in large quantities. In any case, preventing uncontrolled flows of small weapons into areas of tension is one of the most important tools of conflict-prevention, of de-escalation and of post-conflict peace-building.

Mr. Arias (Spain) (*spoke in Spanish*): Our thanks to the Department for Disarmament Affairs for this excellent report (S/2003/1217) on how the Council can contribute to dealing with the illicit trade in small arms and light weapons. The recommendations of the report have Spain's firm support and the conclusions that can

be drawn from it are positive, on the whole, although it indicates that important gaps remain.

As the Secretary-General has recalled and as has been stated here, small arms and light weapons, although they are not considered weapons of mass destruction, have caused 90 per cent of the deaths in conflicts since the Second World War. More than ever, they represent a significant threat to peace and stability in many countries. It is well known that they constitute the main instrument of violence in internal conflicts, their victims generally being civilians. Their proliferation is also closely related to high levels of crime and, of course, to the great scourge of our time, terrorism. Fuelling that vicious circle is their illicit trade in exchange for currency, gold, diamonds and other natural resources and often illegally exploited resources such as drugs.

The 2001 United Nations Programme of Action on Small Arms is a politically binding instrument. Hence, despite its unquestionable value, an effective action against illicit trade in small arms and light weapons in all its aspects calls for complimentary legislative work, both internationally — that is, through conventions — and domestically, through legislation. It is not in vain that the Programme of Action's preamble gives States the main responsibility for adopting measures aimed at combating the illicit trade in these weapons.

Spain welcomes the adoption by the General Assembly of a decision to set up a working group to negotiate an instrument on the marking and tracing of small arms and light weapons, the first legally binding instrument that will come into being under the Programme of Action. My country trusts that the instrument to be agreed will contain all of the elements needed to guarantee its effectiveness when it comes to helping to prevent these kinds of weapons from ending up in the wrong hands, especially among terrorist groups.

Spain believes it is appropriate for the Security Council to become increasingly involved in combating the illicit trade in small arms and light weapons and, in conjunction with the Assembly, to promote the adoption of national measures as well as international and regional cooperation to strengthen controls over exports, imports and transit of small arms, effectiveness of end-user certificates and combating problems of illicit brokerage, all of these being key elements in combating illicit trade.

Increasing the effectiveness of end-user certificates and combating unlawful brokerage are questions that have already been addressed in the First Committee. For the time being, those discussions have not yet been translated into concrete action, except for the decision of the General Assembly in resolution 58/241 to ask the Secretary-General to consult with Member States and international and regional organizations on ways and means to enhance international cooperation against illegal brokerage.

We believe, however, that the Council should explore specific modalities in connection with the Assembly on those two concrete issues, especially to promote the development of long-term strategies aimed at preventing and eradicating the illicit trade in those weapons. Strengthening international and regional cooperation are key elements in combating that trade. Therefore, I should like to refer to a number of initiatives in which my country is participating. First, the European Union Code of Conduct on Arms Exports is applied by Spain and constitutes one of the most advanced instruments with regard to laying down common criteria for export of conventional weapons with transparency. This is an example of regional cooperation. The same can be said of the common position on the control of brokerage, which requires middlemen to be registered before they can conduct their transactions. Spain will soon incorporate into its legislation the recommendations of that joint position.

Finally, the permanent parliamentary forum on small arms and light weapons in Central America, constituted by the national parliaments of Spain, Sweden and the countries of Central America has, as its objective, the harmonization of national laws on small arms and light weapons. It represents an outstanding example of regional cooperation in that field.

In conclusion, Spain considers that the United Nations Register of Conventional Arms constitutes an important mechanism for global transparency. We therefore welcome the recent decision to expand its scope to cover so-called man-portable air defense systems. If those systems were to fall into the hands of terrorists, it would be an extremely grave threat to the security of air traffic and thereby constitute a danger to international peace and security. For that reason, my

country believes the Council should address this question as soon as possible.

Mr. Holliday (United States of America): Ambassador Munoz, I would like to thank you for organizing this meeting today and for your effort in drafting a presidential statement on this very important issue. I also want to thank Under-Secretary-General Abe for his comments outlining the Secretary-General's report.

The United States recognizes the serious consequences of the illicit trade in small arms and light weapons, especially in areas of conflict where the problem is most acute. The widespread proliferation of these illicit arms exacerbates conflict, hinders economic and social development, fuels crime and terrorism, and contributes to the continued destabilization of war-torn societies.

The United States believes that a practical, results-oriented approach to the problem of the illicit trade in small arms and light weapons is best. Each country must begin its efforts at the national level by adopting strict export and import controls, strong arms brokering laws, ensuring the security of small arms and light weapons stockpiles held for national defence, and disposing of excess weapons.

The United States was pleased to participate in the successful Biennial Meeting of States held in July 2003 to review progress in fulfilling the recommendations adopted in the 2001 United Nations Programme of Action on Small Arms and Light Weapons. We commend the excellent stewardship of Ambassador Kuniko Inoguchi of Japan, who chaired the Biennial Meeting. The vast majority of participating States provided national reports on the status of their efforts to fulfil the recommendations included in the Programme of Action, greatly aiding efforts to understand and diagnose the problems associated with that illicit trade and helping us to effectively address those problems. We commend those States that provided national reports to the United Nations Department for Disarmament Affairs for the Biennial Meeting and encourage all those who did not provide reports to do so in the near future.

The United States welcomes the Secretary-General's report and appreciates its recommendations. Many of those recommendations are aimed squarely at the immediate problems of illicit arms trafficking in regions of conflict, such as enforcement of Security Council embargoes, efforts to improve the effectiveness of export controls and, specifically, the use of end-user certificates, better controls over the activities of arms brokers and support for disarmament, demobilization and reintegration efforts in post-conflict environments. With regard to the last item, we commend the work of the United Nations Group of Governmental Experts in expanding the United Nations Register of Conventional Arms to include man-portable air defense systems (MANPADS) and voluntary reporting on small arms and light weapons. The United States and many other countries, as my Spanish colleague mentioned, are deeply concerned with the grave threat to civil aviation posed by the proliferation of MANPADS to terrorist groups and their State sponsors. We call on all Member States to provide full and accurate reporting of MANPADS transfers in their annual submissions to the United Nations Register of Conventional Arms and encourage the adoption of the MANPADS guidelines developed last year by the G8 and the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies.

The United States continues to seek partnerships with countries requiring assistance in the areas of small arms and light weapons destruction, physical security and management of stockpiles, export controls and law enforcement training. Given our acute concern over the proliferation of MANPADS to terrorist groups, we have recently expanded our assistance programmes to safeguard and eliminate those dangerous weapons.

Since the inception of our small arms and light weapons destruction program in 2000, we have provided assistance for the destruction of nearly 700,000 weapons and over 75 million rounds of ammunition in 13 countries. In addition to those bilateral efforts, we continue to actively participate in regional and international efforts such as the Inter-American Drug Abuse Control Commission's Group of Experts, which successfully developed a model arms brokering regulations programme for the countries of the Organization of American States.

The United States has demonstrated a commitment to finding practical and effective ways of curbing the illicit trade in small arms and light weapons such as our own strict control regime for small arms and light weapons and the significant technical and financial support we provide to other States. We very much look forward to working with

other States to eliminate the illicit trade in small arms and light weapons and its harmful consequences around the world.

Mr. Sardenberg (Brazil): The Brazilian delegation is particularly pleased to congratulate you, Sir, for the important initiative of debating this item during the month of January. We are thankful, as well, to the Secretary-General, for his report on ways and means in which the Security Council could contribute to dealing with the question of the illicit trade in small arms and light weapons in situations under its consideration.

The issue of the uncontrolled traffic of this kind of weapon became a great concern for the international community, due to the tragic consequences of arms availability in terms of making local conflicts more lethal and generating a sense of insecurity in civil societies.

The issue of small arms, whether in the context of disarmament, national security, public security or from a humanitarian perspective, must be permanently discussed in all relevant forums — subregional, regional or multilateral. The Security Council has been dealing with this problem, when it is associated with conflict prevention, implementation of arms embargoes, post-conflict arms collection and the tasks of disarmament, demobilization and reintegration.

In 1999, when the subject of small arms was discussed in the Council for the first time, Brazil also had the opportunity to occupy a non-permanent seat. Since then, the Council has reached common ground on that issue, permitting a broader understanding of its diversified aspects. The implementation of the Programme of Action of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, enacted in 2001 and recently evaluated in July 2003, is especially important in our effort to find an acceptable solution to that serious problem.

Unfortunately, despite national efforts, there are still loopholes in the regime for the legal transfer of arms that allow for the diversion of arms to the illegal market. Brazil stands as an example of such efforts, having adapted its legislation to current necessities. Recently, President Lula da Silva sanctioned the innovative Disarmament Statute, which restricts the bearing, possession and commerce of arms, in addition to criminalizing international arms trafficking. Brazil has also adopted a national arms system as a measure of preventive control. Aside from such strengthening of legislative measures, we also regularly exchange information with our neighbours and have established border procedures.

With our Southern Common Market partners, we have endeavoured to establish a joint mechanism establishing a registry of buyers and vendors of firearms, ammunition and explosives. In our region as a whole, which has been a pioneer in dealing with small arms, as well as with other matters relating to disarmament, the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials is in effect. Notwithstanding all these national, subregional and regional initiatives, we still have not solved our problem.

For this reason, the step taken by the General Assembly towards constituting a working group responsible for devising an international instrument to identify and trace small arms is crucial. We expect the document to be produced in forthcoming sessions to be legally binding and responsive to the urgent necessity of interrupting the illegal flow of weapons.

The head of the delegation of the Philippines, Ambassador Lauro Baja, made interesting comments on the recommendations contained in the Secretary-General's report, drawing our attention to the complementarity between the work of the Security Council and that of the General Assembly on this issue and to the need for consultations on this point between the Presidents of those organs.

A solution to the problem of small arms will require the commitment of all States and the assistance of civil society, in addition to the necessary input of international, regional and subregional organisms. The Council will not be able to meet the challenge alone. The fact that it is discussing the matter and listening to the opinion of States members of the Council and other Members about expectations with regard to its actions is positive, however. This open debate assures all Members of the Council's renewed commitment to working together and contributing to collective efforts towards eradicating the illegal flow of small arms.

Mr. Duclos (France) (*spoke in French*): We would like to thank the Secretary-General for his report, as well as Mr. Abe for his briefing. We would

also like to thank you, Mr. President, for having organized this debate today on such a crucial issue.

It is well known that conventional arms are the weapons that are responsible for the greatest number of victims in the world today. We are aware of the scourge that light weapons, in particular, constitute in this regard. We support and are taking an active part in the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. In this regard, we welcome the adoption by the General Assembly of resolution 58/241 of 23 December 2003, by which is was decided, in particular, to set up a working group to negotiate an international instrument to identify and trace small arms.

That is not the only aspect of the problem, however. The question of brokering and the issue of end-user certificates also merit the attention of the international community. But work on identifying and tracing represents the first step towards a treaty to control the illicit trade in small arms.

I would like once again to congratulate, on behalf of my country, Ambassador Anton Thalmann of Switzerland, who has just been appointed to chair the work of that group. As soon as the Swiss candidacy was announced by the President of the Swiss Confederation in the General Assembly, the President of the French Republic assured him of the support of France. As the Council knows, our two countries have worked together for a long time with a view to making progress on the identification and tracing of small arms. France will work actively to make progress on the elaboration of such an instrument. I would like to reaffirm our hope, expressed during the fifty-eighth session of the General Assembly, that any such instrument will be legally binding.

Combating the illicit trade in small arms is of major concern to the international community. As emphasized in the United Nations Programme of Action, that concern is global, regional and national. In Europe, the conflict in the former Yugoslavia and the political changes that have taken place in Eastern Europe have resulted in the dangerous proliferation of small weapons throughout the European continent. Today, we are finding such arms in our own territory.

France remains particularly concerned about the continued increase in the illicit proliferation of small arms and light weapons on the African continent — a major factor in the destabilization of States there. I would like to draw the attention of the Security Council to the need for greater cooperation and involvement on the part of the international community, together with the African continent, in combating the traffic in small arms and light weapons. We believe, in particular, that specific attention should be paid to this issue within the framework of the post-conflict processes in Central Africa, including the Democratic Republic of the Congo, as well as in West Africa, where an important role should be played by the Economic Community of West African States — as mentioned earlier by the Ambassador of Benin — as well as by the peacekeeping operations that have already been set up and that will be set up in Liberia and Côte d'Ivoire.

It would be useful to develop the regional dimension in combating the illicit trade in small arms as part of our effort to counter the proliferation of weapons. In this regard, information exchanges on various regional experiences should be more actively promoted, including in the framework of the United Nations. In that spirit, France, together with the Netherlands, submitted this year to the General Assembly a draft resolution on the promotion, at the regional level in the Organization for Security and Cooperation in Europe the United Nations Programme of Action on the illicit trade in small arms and light weapons in all its aspects, to facilitate the sharing of our experience within that body, which has already led to the publication of eight best practices guides. We are pleased that the draft resolution was adopted by consensus. In the context of sharing information, France can see only advantages in having the OSCE best practice guides distributed by the Secretariat to Member States as soon as possible.

Mr. Zhang Yishan (China) (*spoke in Chinese*): I would like first of all to thank you, Mr. President, for having organized this meeting. I would also like to take this opportunity to thank the Secretary-General for his recent report to the Security Council on small arms. In addition, I would like to thank the Under-Secretary-General for Disarmament Affairs, Mr. Abe, for his introductory remarks.

The issue of small arms has attracted a great deal of attention from the international community in recent years. This reflects a common awareness that the excessive accumulation of and illicit trade in small arms is jeopardizing stability, post-conflict

reconstruction and social development in the areas and countries concerned.

It is gratifying to note that the United Nations has already taken a series of effective steps to deal with this issue. In 2001, the United Nations Convention against Transnational Organized Crime and its Firearms Protocol and the Programme of Action on small arms were concluded. They provide a legal and policy basis for an adequate solution to the issue of small arms. This reflects the determination of the international community to combat the illicit trade in small arms.

During the past three years, great progress has been made in accelerating the entry into force of the Firearms Protocol and the implementation of the Programme of Action on small arms. In particular, the success of the 2003 United Nations First Biennial Meeting of States on small arms has given fresh impetus to the general implementation of the programme of action.

The General Assembly, at its current session, adopted resolution 58/241, which establishes a working group to negotiate an international instrument to enable States to identify and trace illicit small arms and light weapons. This will no doubt further stimulate international efforts to combat illicit small arms.

Likewise, the Security Council has also attached increasing importance to the issue of small arms. It has organized several special meetings to consider the issue and has adopted relevant presidential statements and resolutions.

Moreover, the Security Council has also emphasized the importance of resolving the problem of the illicit trade in small arms in its consideration of a series of related issues, including the protection of civilians and of women and children in conflict.

Ensuring the implementation of disarmament, demobilization and reintegration (DDR) programmes in the settling of regional conflicts, including the collection and disposal of small arms, has also been of major concern to the Security Council. All of these factors have played a positive role in reducing the illicit flow of small arms and in strengthening peace and stability in the regions concerned.

In 2002 the Secretary-General put forward 12 recommendations concerning ways and means by which the Security Council could contribute to dealing with the question of small arms. Since then, United Nations bodies, including the Security Council, have made significant progress in dealing with this issue, and we would like to express our appreciation in this respect.

In our view, the Security Council should continue to pay close attention to the issue of small arms, in keeping with its mandate, and actively promote the implementation of DDR processes in conflict regions while closely monitoring the implementation of relevant arms embargoes.

The Security Council should also strengthen its coordination with the General Assembly and other United Nations bodies for concerted action to promote the settlement of the question of small arms.

China has always attached great importance to the combat against the illicit trade in small arms. We have actively participated in international efforts in this regard. In recent years, the Chinese Government has been resolutely implementing the Programme of Action on small arms, and it is now actively preparing for the ratification and implementation of the Firearms Protocol. Chinese experts have also actively participated in the United Nations Group of Governmental Experts to identify and trace illicit arms.

We would like to join others in deploying common efforts to facilitate an early and adequate settlement of the question of small arms throughout the world.

Mr. Gaspar Martins (Angola): Allow me first of all to thank you, Mr. President, for having scheduled this important meeting this morning. I should like also to thank Under-Secretary-General Abe for having introduced the Secretary-General's report and for his words this morning.

Preventing, combating and eradicating the uncontrolled spread and excessive accumulation of small arms and light weapons is an integral part of the Security Council's peace efforts and represents a key assignment for the Security Council in discharging its primary responsibility for the maintenance of international peace and security.

Illicit small arms and light weapons are killing people on a massive scale and are the main deadly instruments in the hands of terrorists in several countries around the globe. This debate is therefore

timely, as we believe that the Security Council has a key role to play in this regard.

The 2001 United Nations Programme of Action acknowledges that the excessive accumulation and uncontrolled proliferation of small arms and light weapons in many regions of the world have had a wide range of humanitarian and socio-economic consequences and pose a serious threat to sustainable development, peace and security. That phenomenon is indeed a matter of serious international concern, since it can be directly linked to the fuelling of armed conflicts.

Small arms and light weapons are thus emerging not only as a single disarmament and armaments control issue, but as the source of a cluster of policy issues with complex linkages among different elements and regions.

The challenge will be to develop an adequate political and practical framework within which all relevant dimensions of this problem, including the development dimension, can be effectively tackled in the years to come.

In order to achieve that goal, we need to be concrete in defining actions at the national, regional and international levels, especially in strengthening efforts in such key areas as manufacturing and export controls, stockpile management, better end-user certificates, and transparency and information exchange on legal flows, brokering activities, and the marking and tracing of small arms.

The United Nations Programme of Action provides the international community with an important tool in combating the source of illicit small arms and light weapons. We are particularly encouraged to see that regional and subregional organizations are giving the question of small arms high priority and that considerable efforts to implement the Programme of Action are under way at the national level.

To that effect, with the adoption in 2000 of the Bamako Declaration on the illicit proliferation, circulation and trafficking of small arms and light weapons, the African Union has articulated a continent-wide strategy for tackling the problem of illicit small arms.

Correspondingly, the renewal by the Economic Community of West African States (ECOWAS) of its moratorium on the import, export and manufacture of small arms and light weapons and the initiatives taken with the framework of the Southern African Development Community (SADC), especially in adopting improved national legislation to ensure effective control of the export, import, transit, stockpiling and storage of small arms, represents a genuine effort to address the issue.

My country, Angola, has bitter experience with trafficking in small arms and light weapons fuelled by the illicit exploitation of natural resources, namely diamonds, a problem of which the international community has gained new awareness. That prompted the Security Council to decisive action — imposing a strict arms embargo against the rebels — which was instrumental in bringing the conflict to an end. Angola and its people are very grateful for the decisive intervention of the Security Council.

Since the adoption of the United Nations Programme of Action, relative progress has been achieved in this field. The United Nations has established a Group of Governmental Experts to examine the feasibility of developing an international instrument on tracing. The progress already achieved, particularly the report presented during the fifty-eighth session of the General Assembly and General Assembly resolution 58/241, represent very important steps forward on issues related to the marking, tracing and record-keeping of illicit small arms.

Measures to combat the illicit trade in small arms and light weapons and to promote peace-building and conflict prevention must be implemented simultaneously if we are to be successful. Thus, providing for the disarmament, demobilization and reintegration (DDR) of former combatants and establishing measures for weapon collection and destruction should always be considered in the context of negotiated settlements and peacekeeping mandates. Here, the references made a short while ago by the representatives of Benin and France are relevant, particularly to the situations prevailing in Central and West Africa. In that connection, we fully support the recommendations contained in the Secretary-General's report (S/2003/1217). In addition, we believe it important that the Security Council support efforts by Governments and international institutions to develop further steps to enhance international cooperation in preventing, combating and eradicating illicit arms brokering.

We are facing what one could call a sequence of complex crises in Africa, the Middle East and elsewhere. It is obvious that only a comprehensive approach that takes into account socio-economic, political, security and other factors can effectively address the problems associated with small arms and light weapons. The approach should be comprehensive, in the sense that we need to address the issues at all levels, from the global to the local. That implies focusing on the link between licit and illicit flows of small arms, because most weapons that are now illicit originated from legal sources.

I should like to conclude by saying that the international community's efforts aimed at dealing with small arms must be focused on implementing the Programme of Action adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. My delegation endorses the recommendations contained in the Secretary-General's report on small arms submitted to the Security Council in December 2003, and fully supports the draft presidential statement to be issued as the outcome of this important meeting.

Mr. Baali (Algeria) (*spoke in French*): Algeria welcomes the attention that the Security Council continues to devote to the issue of small arms, whose importance for the maintenance of international peace and security is now self-evident. I thank the Secretary-General for his report (S/2003/1217) and Mr. Abe for his excellent introduction of it. I should like now to make the following observations.

First of all, we must emphasize that the issue of small arms — like that of conflict prevention — is an area where the shared responsibility of the General Assembly and the Security Council is obvious. The Assembly is doing its part admirably: the convening in July 2001 of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, followed by the adoption of a Programme of Action aimed at preventing, combating and eliminating the illicit trade in such weapons, made great progress in heightening our collective awareness of the spread of this scourge and of the threat it poses to international peace and security, in that it maintains and exacerbates conflicts and fuels terrorist networks throughout the world.

For its part, the Security Council constantly confronted with this scourge's grave consequences in managing conflict situations and conducting its fight against international terrorism, took the initiative — through today's meeting and those preceding it in August 2001 and October 2002 — to join its efforts with those of the General Assembly, particularly by formulating precise recommendations.

In that regard, my delegation shares the Secretary-General's view that we must strengthen the interaction between those two principal organs in order to promote the development of long-term strategies to put an end to the illicit proliferation of small arms. In the normative and legislative areas, such interaction should be carried out swiftly within four areas.

The first is the framework of the open-ended working group charged with negotiating an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, which the General Assembly created last month through its resolution 58/241.

The second is the establishment of supplementary measures to strengthen international cooperation to prevent, combat and eliminate the illicit brokering of small arms, particularly through the widespread establishment of national registers of arms brokers and, in the case of arms embargo violations, registers of intermediary firms and transport agents, as well as the organization of broad-based consultations open to States and other entities, provided for in resolution 58/241.

The third area is that of the objectives to be pursued under an end-user certificate regime at the regional and international levels and under an information-exchange and verification mechanism to monitor exports more effectively.

The fourth and final area is the improvement of transparency in the sphere of armaments — particularly efforts aimed at universal and consistent participation in the United Nations Register of Conventional Arms — it being understood that transparency must also cover national production and related purchases as well as military allocations. From that perspective, the establishment of a mechanism for structured cooperation between the General Assembly and the Security Council is very desirable.

Because it bears primary responsibility for the maintenance of international peace and security, the Security Council, for its part, should make further use

of the means of action conferred on it by the Charter to fight the illicit trade in and circulation of small arms. The Council should remind Member States — particularly the countries that produce small arms — of their obligation to implement all resolutions containing sanctions, particularly arms embargoes, and to enforce arms embargoes more rigorously and effectively, in conformity with Article 41 of the Charter.

Consideration of the reports and activities of the various sanctions committees and mechanisms established by the Council in various regions reveals, however, a diversity of situations, requiring diverse actions. The example of West Africa shows that the widespread idea that the States neighbouring conflict areas bear primary responsibility for arms embargo violations does not always hold true. The praiseworthy commitment by the States of the Economic Community of West African States (ECOWAS) in settling the conflicts in Côte d'Ivoire, Liberia, Sierra Leone and Guinea-Bissau shows that we should attribute the illicit circulation of small arms in that conflict region more to the very piecemeal implementation of disarmament, demobilization and reintegration (DDR) processes, with well-known consequences for the transfer of idle former combatants — particularly the vulnerable category of child soldiers — from one conflict zone to another, and the criminal phenomenon of mercenaries, as well as for the entry of new quantities of weapons. It is therefore of the greatest importance that the Security Council echo most resolutely the concerns expressed by the Secretary-General in his report on the need to provide DDR operations with planned, foreseeable and adequate financing, without which the resources and efforts deployed to settle so many conflicts will have simply been wasted.

The particular nature of the situation in West Africa should not, however, hide the fact that arms embargo violations and the illicit exploitation of natural resources by countries in conflicts which they maintain and fuel with illicit weapons are often the responsibility of Member States which are sometimes neighbours and sometimes geographically remote weapons producers. We believe that the Council should envisage the adoption of enforcement measures in that respect, given the dimensions that the threat posed by the illegal trafficking of small arms has assumed.

Furthermore, a precise analysis of the factors generating and developing the traffic in small arms will help to clarify the concepts, enabling us to prevent lumping it together with the legal trade in small arms covered by Article 51 of the Charter, which recognizes each State's inherent right to legitimate defence and right to put in place a system of self-defence.

To conclude, I reaffirm the importance of international cooperation in the fight against transnational organized crime, which cannot be separated from international cooperation against terrorism. Collaboration among custom, police and information services is essential, and it is encouraging to learn that efforts are currently being undertaken to strengthen the Interpol Weapons and Explosives Tracking System.

The President (*spoke in Spanish*): I shall now make a brief statement in my capacity as representative of Chile.

Repeatedly and with justified alarm, the specialized reports on small arms and light weapons published by various sources in recent years agree in warning that in various regions of the world there is a marked trend towards the excessive accumulation of and illicit trafficking in this type of arms, which are statistically demonstrated to be the principal scourge and cause of civilian deaths — in particular of children and women — of social misery and of internal and international conflicts, which gravely hinder the development of peoples.

Small arms in the streets of our cities often kill more people than open warfare. That is why we reaffirm today that the fight against the uncontrolled proliferation of small arms and light weapons and the prevention and elimination of that proliferation are a key task within the primary responsibility of the Council. That is why it is important for the Security Council to carry out in a comprehensive and effective manner programmes for disarmament, demobilization and reintegration in post-conflict situations.

Moreover, the weapons-exporting countries need to assume a greater degree of responsibility in their operations relative to small arms and light weapons. Similarly, we need to strengthen international cooperation on information on the origin and transfer of these types of weapons in order to prevent them from falling into the hands of terrorists. The important advances that have been made in this area should be complemented by greater international and regional cooperation on exports and effective compliance with embargo and other sanction measures and regulations

imposed by the Security Council, including the obligation of Member States to inform the Sanctions Committee about violations of arms embargoes, in accordance with the recommendations contained in the respective reports.

Finally, the delegation of Chile welcomes the report of the Secretary-General (S/2003/1217) presented by Under-Secretary-General Abe and supports the need for the Security Council to continue to consider this important issue in the future.

I now reassume my functions as President of the Security Council. In accordance with rule 37, the next speaker inscribed on my list is the representative of Ireland.

Mr. Ryan (Ireland): I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey; the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia and Serbia and Montenegro; and the European Free Trade Association countries members of the European Economic Area, Iceland and Liechtenstein, align themselves with this statement.

I appreciate that you, Sir, have asked that delegations speak for no more than five minutes. However, as I am speaking on behalf of 35 countries, I hope for your indulgence if I exceed ever so slightly your time limit.

The European Union welcomes today's debate and the opportunity to address the subject of small arms two and-a-half years since the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and a year since the Council's last debate on this issue.

The European Union worked very actively to achieve a successful outcome from the 2001 Conference and remains consistent, through the political and practical actions of the Union and its member States, in its commitment to the full implementation of the Programme of Action.

The problem of small arms and light weapons worldwide has, unfortunately, not diminished in any significant way over the past two years. Estimates for stockpiles worldwide of small arms vary considerably, but recent figures suggest as many as 600 million of these weapons are in circulation. Such statistics demonstrate the scale of the problem.

The death toll from misuse of small arms and light weapons remains dramatic by any standard — perhaps as many as 500,000 people each year. The nature of modern conflicts is such that it is most often civilians who suffer most, with the overwhelming majority of victims being women and children. But the impact on societies of the destruction caused by the misuse of small arms and light weapons is much wider: on victims' immediate families, on livelihoods and, more generally, on the very fabric of societies.

The problem of the excessive and destabilizing accumulations of small arms is a global one, requiring a coordinated response at national, subregional, regional and international levels. The response also needs to be comprehensive if we are to address effectively this complex and multifaceted issue involving, inter alia, factors such as international and internal security, trade, civil-military relations, the role of weapons in societies, human rights and humanitarian concerns and the impact on development.

The *Small Arms Survey 2003* puts it succinctly when it says that "the challenge is and will be to develop an adequate conceptual, political and practical framework within which all relevant dimensions of the problem ... can be tackled".

Many of the world's conflicts are fuelled by the easy supply and availability of small arms. The ease with which they can be concealed and moved, their relatively low cost and violations of Council arms embargoes make it extremely difficult to retrieve and remove these weapons from the equation. It makes sense, therefore, to do everything possible to stop their supply at source or to prevent their diversion from legitimate purposes.

The illicit trade in small arms and light weapons is recognized as a primary factor in sustaining conflicts, exacerbating violence, contributing to displacement and fuelling crime and terrorism. Arms control activities, including, in particular, measures to combat the illicit trade in small arms and light weapons, remain an essential dimension, therefore, for conflict prevention and resolution, as well as for the success of peace-building efforts.

Therefore, the European Union welcomes the Secretary-General's report (S/2003/1217), in response to the statement of the President of the Security Council of 31 October 2002 (S/PRST/2002/30) on the state of implementation, one year on, of the recommendations originally proposed to the Council by the Secretary-General.

Overall, the assessment of the report is positive. It notes where advances have been made, without, on the other hand, shying away from pointing to areas where progress has been less marked or where a more proactive approach is needed.

In 2002, the Secretary-General had recommended that the Council might wish to call upon Member States to support the development of an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. The European Union (EU) warmly welcomes the concrete progress that has been made on this particular point with the agreement by the General Assembly at this session to establish an open-ended working group to negotiate an international instrument on marking and tracing. The working group will hold its organizational session in early February, and we hope that it can hold its first substantive session before the summer. The European Union strongly believes that a multilateral and legally binding instrument on marking and tracing would greatly strengthen abilities to tackle issues of illicit weapons flows and illegal traders and to curtail the acquisition of such weapons by those engaged in terrorist activities.

The European Union regards the United Nations Register of Conventional Arms as a global transparency and confidence-building measure and welcomes the recent decision taken on expanding its scope. The widest participation by Member States in the Register would greatly enhance its value, and the EU therefore reiterates its call on all States to submit timely returns of their imports and exports to the Register, including information on military holdings and procurement through national production.

The European Union supports the Secretary-General's recommendation that the Council pursue more vigorously and expeditiously the use of arms embargoes to countries or regions threatened by, engaged in or emerging from armed conflict and to seek additional ways to promote their effective implementation through enhanced monitoring mechanisms.

Stopping the flow of small arms at source through efforts aimed at preventing their diversion from legitimate purposes implies the implementation and enforcement of national laws and regulations controlling the manufacture, production, import, export, possession and trade in small arms and through cooperative efforts at subregional, regional and global levels. In this regard, the EU sponsored in the First Committee the draft resolution entitled "Promotion at the regional level in the Organization for Security and Cooperation in Europe of the United Nations programme of action on the illicit trade in small arms and light weapons in all its aspects", adopted as resolution 58/55, which reaffirms the importance of ongoing efforts at the regional and subregional levels.

The European Union Code of Conduct on Arms Exports has been in operation since 1998, and we believe that it is a model that can be drawn on in implementing legislation in other jurisdictions. The European Union is currently looking at the elaboration of common national and international standards that would aim to ensure that legal trade is not diverted into illegal channels and to limit the excessive accumulation of small arms in areas of existing tension or armed conflict.

Export controls are an essential tool in helping to curtail illicit trafficking in small arms and light weapons. One measure to improve control over the export and transit of small arms and light weapons would be to enhance the effectiveness of end-user certificates. The European Union continues to advocate enhanced international action in this area.

Controls on brokers and on brokering is an area of particular concern and one to which the EU is paying priority attention. Illicit brokering and trafficking are recognized as being among the main factors fuelling the illegal trade in small arms and light weapons around the world. I wish, therefore, to draw the attention of the Council to the European Union's adoption, in June 2003, of a common position on arms brokering, requiring member States to introduce legislation in order effectively to control the activities of brokers.

Also in this regard, the EU welcomes the General Assembly's decision, in its resolution 58/241, to request the Secretary-General to hold broad-based

consultations with all Member States, interested regional and subregional organizations, international agencies and relevant experts on further steps to enhance international cooperation on illicit brokering in small arms and light weapons. We look forward to the Secretary-General's future report on his consultations.

The European Union, as a demonstration of its seriousness in implementing its commitments under the 2001 Programme of Action, has allocated assistance totalling approximately €7.7 million in the period 2001 to 2003 to affected countries, to help them deal with the excessive and destabilizing accumulation of small arms and light weapons. Examples include projects in Cambodia of approximately €4.8 million, in Latin America and the Caribbean of €1.045 million and in Albania of €1.37 million. Additionally, a contribution of €500,000 was granted to the running costs of the joint Stability Pact and United Nations Development Programme (UNDP) regional clearinghouse in Belgrade on the control of small arms and light weapons. In May 2003, a financial agreement totalling €2 million over a three-year period, for a large-scale project implemented by SaferAfrica, was concluded between the United Republic of Tanzania and the European Commission. In addition, States members of the European Union contribute individually to numerous projects and assistance programmes with the aim of controlling the illicit trade in, and combating the use of, small arms and light weapons, particularly in African countries.

We appreciate the Secretary-General's emphasis, in his report (S/2003/1217) on disarmament, demobilization and reintegration programmes in post-conflict situations, and we welcome the Council's increased focus on this issue. Given porous borders in many regions of tension around the world and the easy portability of small arms, effective disarmament programmes, including weapons collection and disposal, will often require a subregional or wider regional approach. We encourage the Council to continue to explore how best to address this regional dimension of the issue.

The President (*spoke in Spanish*): I now give the floor to the representative of Norway.

Mr. Løvald (Norway): Norway appreciates this opportunity to discuss in the Security Council the subject of small arms and light weapons. We welcome the Secretary-General's report (S/2003/1217) and concur with his description of the present situation. There have been some advances in international cooperation to control the flow of small arms, but significant problems still remain. These problems call for continued and improved cooperation among nations, international organizations and civil society to ensure further progress.

We have noted that in many international forums there is increased attention to the humanitarian, social and economic implications of the problem of small arms. In particular, we would like to mention the efforts of the International Committee of the Red Cross and the Human Security Network to address these issues. Norway fully supports their work.

The proliferation of small arms and light weapons fuels armed conflicts, causing suffering. States must therefore recommit themselves to ensure respect for applicable international humanitarian law.

Norway commends the outcome of the biennial conference on the Programme of Action on small arms that took place here in New York in July of last year. Norway also welcomes the General Assembly's decision, in its resolution 58/241, to request the Secretary-General to hold broad-based consultations with Member States, regional and subregional organizations, international agencies and relevant experts on further steps to enhance international cooperation on the illicit brokering in small arms and light weapons. We look forward to the Secretary-General's future report on his consultations.

The Government of Norway and the Government of the Netherlands have launched an international initiative to enhance international cooperation on illicit brokering in small arms and light weapons. That initiative aims at developing effective national control mechanisms for arms brokering. As a result, the Governments of the Netherlands, the United Kingdom and Norway will sponsor a conference organized by the Economic Community of West African States (ECOWAS) in February and March of this year to improve regional cooperation on small arms issues in West Africa.

Under the Dutch and Norwegian initiative, we will also be supporting the efforts of the Secretary-General to promote increased regional cooperation against illicit brokering in small arms, in accordance with General Assembly resolution 58/241.

As we prepare for the next Biennial Meeting of States on the Programme of Action, scheduled for 2005, emphasis must be put on the following: assisting countries in developing their capacity to implement the Programme of Action and produce national reports on their implementation efforts; developing regional cooperation to implement the Programme of Action in all its aspects; supporting the participation of civil society in the implementation of the Programme of Action; greater emphasis on the humanitarian aspects of the illicit arms trade; and developing national legislation on the arms trade.

It is hoped that considerable progress will have been made by the next Biennial Meeting in 2005. By 2006, we should be ready to discuss a comprehensive, international, legally binding agreement.

The President (*spoke in Spanish*): I call next on the representative of Egypt.

Mr. Aboul Gheit (Egypt) *(spoke in Arabic)*: The Egyptian delegation is pleased to attend this meeting under your presidency, Sir, in order to discuss a vital issue that affects every continent — although the continent of Africa, to which Egypt belongs, is the most severely affected: there, wars and conflicts are further fuelled by small arms and light weapons, which claim the lives of tens of thousands of Africans annually.

I would also like to express our appreciation to the Secretary-General for his report (S/2003/1217) on small arms, which describes the developments that took place over the past year.

Allow me to make some remarks concerning the issue before the Council today. First, the effectiveness and credibility of the Security Council do not emanate solely from the fact that it is the sole internationally accepted organ charged, since its establishment over half a century ago, with the maintenance of international peace and security. It is based also on the fact that the Council constantly addresses, responds to and evolves with new challenges to peace and security at both the regional and the international levels. Thus, since the Security Council has recognized the gravity of the illicit trade in and proliferation of small arms and light weapons and the resulting serious humanitarian consequences over the years, the Council must address those issues in a serious and effective manner commensurate with the grave implications of the dangers involved.

Secondly, interaction between the Security Council and the General Assembly is indispensable in dealing with issues relating to the illicit proliferation of small arms and light weapons and the development of an effective long-term strategy to address the problem. In that regard, the General Assembly has achieved tangible progress, as demonstrated in its resolution 58/241 of 23 December 2003, by which it decided to establish an open-ended working group to examine the feasibility of negotiating an international instrument to enable States to identify and trace illicit small arms and light weapons. We hope that the efforts of that working group during 2004 and 2005 will succeed in strengthening international cooperation in prohibiting and eliminating the illicit trade in small arms and light weapons.

Thirdly, despite the fact that the imposition of arms embargoes is the mechanism most frequently used by the Security Council to curb the flow of illicit arms to areas of conflict, the report of the Secretary-General highlights a crucial factor: the difficulty of enforcing embargoes. That is due either to non-compliance by some countries with Security Council resolutions or to the weakness of security structures and border control agencies in countries adjacent to conflict areas. Such lapses make it easier for illicit arms brokers and smugglers to operate freely. The strengthening of security institutions in some countries is a long-term goal, and compliance by Member States with Security Council resolutions mandating arms embargoes should take place with as little difficulty as possible in order to ensure the credibility of the Security Council and its resolutions. It might even be plausible for the Security Council, when its resolutions are violated, to consider measures such as publication of the names of institutions or States that violate those resolutions, as a first step towards the development of a tighter legal and political framework that would ensure the implementation of Security Council resolutions.

Fourthly, all this is closely related to another issue: the supply of illicit weapons to areas of conflict in exchange for natural resources such as diamonds, and in some cases for narcotic drugs. Over the past five years, the Security Council has examined the question of the diamond trade and its relationship to the fuelling of conflicts in some regions of Africa. The report of the Secretary-General before the Council today highlights the way in which the illicit drug trade in some States in

the Horn of Africa, promotes the import of weapons in violation of relevant Security Council resolutions.

There is no doubt that those cases relate in large measure to the question of whether or not Council members have the political will to address the constant breaches of Security Council resolutions, and to how serious the Council is about ensuring strict compliance with its resolutions.

Finally, there is no doubt that the evolution of Security Council peacekeeping activities allows for the incorporation in peacekeeping operations of clear provisions regarding the disarmament, demobilization and reintegration (DDR) of ex-combatants in civil society. In addition to specific measures relating to the collection and destruction of surplus small arms and light weapons, Egypt suggests that the General Assembly's Special Committee on Peacekeeping Operations should consider and support ways to enhance the role of the United Nations in DDR and to finance those activities from the assessed peacekeeping budget.

The President (*spoke in Spanish*): The next speaker is the representative of the Republic of Korea, to whom I give the floor.

Mr. Kim Sam-hoon (Republic of Korea): Thank you, Mr. President, for convening this important meeting today. In the light of your request for brevity, my oral statement has been shortened from the original text, copies of which have been circulated.

We are pleased to note that the Security Council remains committed to addressing the problem of small arms and light weapons in a timely and efficient manner. In that regard, my delegation welcomed the 12 recommendations contained in the report of the Secretary-General (S/2002/1053) on the ways and means in which the Security Council can further contribute to the fight against the illicit trade in small arms and light weapons.

My delegation would like to underscore the importance of disarmament, demobilization and reintegration (DDR) programmes within the Security Council's conflict-prevention and post-conflict peace-building efforts. In recent years we have seen DDR programmes make significant contributions to the reconstruction of post-conflict societies. Unfortunately, at the same time we have witnessed the problems that ensue when DDR initiatives are not undertaken and when large quantities of small arms and light weapons fall into the wrong hands, thus prolonging conflicts and hindering reconstruction efforts. In that context, we would like to underscore the need to include in the disarmament process comprehensive programmes for arms management, such as measures to ensure the effective collection, safe stockpiling and eventual destruction of small arms and light weapons. Accordingly, we support the recommendation that the Security Council strengthen financing for disarmament, demobilization and reintegration as it expands the mandates and budgets of its peacekeeping operations to include these important programmes.

The enforcement of Security Council arms embargoes is also critical in the fight to curb the proliferation of and the illicit trade in small arms and light weapons. We commend the Secretary-General's recommendation that each and every State take appropriate action against any activity that is in violation of a United Nations Security Council embargo. Noting the Secretary-General's eleventh recommendation, which calls for consideration of the use of coercive measures against embargo violators and the establishment of monitoring mechanisms, my delegation is of the view that sanctions Committees, under the guidance of the Security Council, could act as a monitoring mechanism in close cooperation with relevant bodies throughout the United Nations system.

Over time we have recognized that the scourge of small arms and light weapons has become an even graver threat to international peace and stability due to the fact that it is closely linked to other problems of national and global concern, such as drug trafficking, money laundering and cross-border terrorism. My delegation thus welcomes the Secretary-General's call for the Security Council to continue its efforts to identify these links and to develop innovative strategies to combat them. We further support the proposals for the establishment of a standing monitoring mechanism for targeted sanctions and the illicit trade in high-value commodities in armed conflicts.

At the 2001 United Nations Conference and the subsequent First Biennial Meeting, held last year, States acknowledged the crucial importance of marking and of keeping accurate records that enable the timely tracing and identification of illicit small arms and light weapons. Successful tracing initiatives require adequate marking and record-keeping, through which Governments and concerned organizations are able to

identify the producers, end-users and uses of a specific weapon. Against this backdrop, my delegation looks forward to actively participating in the open-ended working group tasked with the development of an international instrument that would allow for the timely and reliable identification and tracing of illicit small arms and light weapons.

My delegation underscores the importance of implementing rigorous export and import controls at the national, regional and global levels. In this regard, my delegation welcomes the Secretary-General's recommendation for the Security Council to call on those States that have not yet done so to establish the necessary measures to ensure effective control over the import and export of small arms and light weapons.

Finally, my delegation would like to lend its support to the Secretary-General's recommendation to enhance transparency in armaments through, inter alia, the universal and consistent participation of Member States in the United Nations Register of Conventional Arms. In this regard, my delegation commends the work of the United Nations Group of Governmental Experts on the Register last year, which agreed to expand it to include man-portable air-defence systems as a new sub-category. Such developments should serve as a guide in our efforts to adapt our existing mechanisms to threats in the changing security environment.

The President (*spoke in Spanish*): The next speaker is the representative of Mexico, to whom I give the floor.

Mr. Pujalte (Mexico) (*spoke in Spanish*): At the outset, my delegation would like to thank you, Mr. President, for having convened this public meeting on an issue of the utmost importance for my country. I should also like to thank the Secretary-General for his report to the Security Council, contained in document S/2003/1217, on ways and means in which the Council could contribute to dealing with the question of the illicit trade in small arms and light weapons. I should also like to express gratitude and appreciation to the Under-Secretary-General for Disarmament Affairs, Mr. Nobuyasu Abe, for introducing the report.

The fact that hundreds of thousands of people fall victim to small arms and light weapons every year makes it necessary for the Security Council to address the question of the proliferation of such weapons in the framework of its chief responsibility — that of maintaining international peace and security.

In considering this issue it should view with a broad perspective the destabilizing effects of such weapons and the way in which they prevent the creation of conditions for stable and lasting development.

Another important element that must be examined is the link between such activity and transnational organized crime, the illicit drug trade and terrorism. That is why, within the Counter-Terrorism Committee established pursuant to resolution 1373 (2001), my country promoted the idea of including this issue on the Committee's agenda and on the reports submitted by countries.

The main response of the Council to the problem has been the imposition of arms embargoes through the sanctions regimes that it establishes. The results, however, have not always been entirely satisfactory. The problem is exacerbated by the diversity of the sources of production of weapons, the many means of their transportation, lax internal regulation, the absence of international legal instruments governing the trade, the traffic in used weapons and the black market.

That is why an effort must be made at both the domestic and the international levels. At the national level, more and better controls are needed over sales. In the international sphere, the Council should, as a first step, encourage States to provide information about the transfer of small arms and light weapons. Over the long term we need a legally-binding international instrument that provides for the punishment of those involved in the illicit trade in these weapons, including brokers.

All States — not only the recipients of illicit small arms and light weapons — have a responsibility for dealing with the traffic in and production of such weapons. Indeed, in my country's opinion, the producing and exporting countries have the greatest responsibility. We should require a greater degree of participation and commitment on their part with regard to the measures adopted by our Organization with a view to controlling such weapons.

Having participated in the work of the Group of Governmental Experts established pursuant to General Assembly resolution 56/24 V charged with the task of considering the possibility of developing an

international instrument enabling States to identify and trace, in a timely and reliable way, illicit small arms and light weapons, Mexico welcomes the adoption by the General Assembly, by consensus, of resolution 58/241, which, inter alia, provides for negotiations on such an international instrument to begin this year.

As the report of the Secretary-General states, General Assembly resolution 58/241 also requests the Secretary-General to hold consultations with all Member States, relevant regional and subregional organizations, international bodies and experts in the field regarding the adoption of new measures aimed at intensifying international cooperation to prevent, combat and eliminate illicit brokerage in the trade in small arms and light weapons.

Mexico participated in the work of the Council as a non-permanent member for 2002-2003, and we will continue to pay close attention to the work of the Council.

My country believes that this first open debate concerns an area in which it is important to pool the efforts of the various United Nations organs; regional and subregional organizations; and the relevant international agencies.

In that regard, my delegation deems extremely important the promotion of the implementation of recommendation 4, contained in the October 2002 statement by the President of the Security Council, which refers to increased interaction between the Security Council and the General Assembly with regard to the question of small arms and light weapons.

The President (*spoke in Spanish*): The next speaker is the representative of Japan, to whom I give the floor.

Mr. Haraguchi (Japan): Mr. President, let me start by reviewing the progress that has been made since the last Security Council meeting on small arms, held in October 2002. I believe that two areas warrant special mention. The first is the holding of the First Biennial Meeting on small arms, and the second is the unanimous adoption of the General Assembly resolution entitled "The illicit trade in small arms and light weapons in all its aspects".

At the Biennial Meeting on small arms — which was chaired by Ambassador Kuniko Inoguchi, the Japanese Ambassador to the Conference on Disarmament — it was clearly recognized that the illicit proliferation of small arms and its negative consequences are problems of a global dimension, and multilateralism was set forth as a guiding principle in coping with such problems. In particular, thanks to the consensus-based proceedings, it was very meaningful that the countries participating in the meeting — including those suffering from the proliferation of small arms — shared the feeling that they were able to advance the process of disarmament in the area of small arms through their individual ownership.

Moreover, it is of crucial importance that, since the Chairman's summary outlined the tasks which must be given priority, the meeting garnered wide support for the need for international cooperation in resolving the problems and — with regard to the respective tasks to be addressed — the need for domestic laws, the advancement of international cooperation, the training of those who are expected to engage in the relevant activities, and financial assistance to developing countries in this area.

We are pleased at the success of the First Biennial Meeting and, as the country which chaired the meeting, wish to thank once again all participating States for their cooperation. At the same time, in anticipation of the Second Biennial Meeting in 2005 and, subsequently, the Second United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, scheduled to be held in 2006, we believe it essential to add to the momentum that is now being generated on this issue.

Although we have witnessed the aforementioned successes in the area of small arms, as rightly indicated in the Secretary-General's report, a number of issues remain that we have to address seriously. They must be addressed both from the supply side and the demand side. Let me elaborate on some of them.

As I mentioned earlier, the General Assembly resolution on this issue, which Japan submitted as one of the sponsors, was unanimously adopted. That was particularly significant, because the resolution decided to establish an open-ended working group to negotiate an international instrument to enable States to identify and trace illicit small arms and light weapons. Tracing is an important method in detecting and criminalizing the illicit transfer of small arms. The creation of an international instrument on tracing is particularly important in tackling the issue of small arms from the supply side. Japan considers that the area of tracing

needs to be given high priority. From that point of view, we look forward to seeing concrete results produced by that working group, which will begin its activities this February.

Next, I would like to raise the issue of arms embargoes as a method of controlling the spread of small arms from the supply side. In order to implement an arms embargo effectively, it is not enough simply to adopt a Security Council resolution. It is also necessary, after its adoption, that its implementation be monitored, and, if violations are found, enforcement measures be taken.

In the recently adopted Security Council resolution authorizing the arms embargo in Somalia, a monitoring group was established, and the compilation of a violations list was requested. We welcome those elements as a sign that the Security Council is well aware of the importance of the monitoring of arms-embargo implementation. The approach adopted in that instance will serve as a valuable model when arms embargo measures of the same kind are taken in other areas of conflict.

On the other hand, control of small arms on the demand side is equally important. This means that the international community, in order to address the problem of conflict in various parts of the world, must also pursue measures to eliminate the demand for small arms. In particular, it is absolutely critical, in order to bring a conflict to an end and to create a stable society, to promote the disarmament, demobilization and reintegration of former soldiers. In order to encourage cooperation in weapons-collection efforts, reasonable economic incentives must be provided, and it is also essential that proper employment opportunities be provided to induce them to give up their weapons, so that they can start new lives.

Incidentally, as a member of the Economic and Social Council ad hoc group on Burundi, I had the opportunity to visit that country at the end of last year. I was very impressed to see that, now that a peace agreement has been reached, the disarmament of soldiers of rebel parties was being seriously pursued. Disarmament efforts in Burundi are taking place in the context of cantonment, so their success or failure will depend, above all, on whether the former soldiers can be persuaded to report to cantonment.

To achieve that goal, it is necessary to provide assistance in the pre-cantonment phase as well. However, I have learned that it has been the policy of the World Bank that, in principle, no aid should be provided to the military. I am of the view that, assuming that pre-cantonment assistance for former soldiers becomes a requirement for a successful DDR programme, it might be necessary for the World Bank to find an acceptable alternative to its aid policy with regard to this point.

I have heard that, these days, 60 to 70 per cent of the Security Council's deliberations — as far as official meetings are concerned — are devoted to peacekeeping operations and other United Nations peace activities in Africa. Economic development in Africa depends heavily on peace and stability, but the widespread proliferation of small arms among the peoples of regions in conflict makes conflicts in Africa all the more devastating and renders their resolution much harder. This means that the situation with respect to small arms is particularly grave in Africa.

In that connection, let me commend the fact that the problems of West and Central Africa were vigorously debated last year in the Security Council. It is particularly significant that Security Council members fully recognized the importance of the efforts made by subregional groups such as ECOWAS to address the issue of small arms. Above all, the disarmament, demobilization and reintegration of ex-soldiers, as a component of peace-building efforts following a ceasefire, is essential not only for the collection of weapons and to reduce the danger of the resumption of conflict, but also to reduce the demand for small arms.

As a concrete example of that approach, Japan would like to share with other United Nations Members, when appropriate, its experiences with, and results achieved by, its DDR programme which is currently being undertaken in Afghanistan. Japan has long been implementing its "Weapons for Development" projects, under which it provides development assistance as compensation for the surrender of small arms. We will continue to make such efforts and intend to share the experience gained from weapons-collection programmes in Cambodia to other small-arms collection projects in the African, Latin American and Middle East regions.

We hope that the Security Council will continue to pay attention to this important issue. We would also

like to request that the Secretary-General continue to provide us with progress reports as he deems necessary.

The President (*spoke in Spanish*): The next speaker on my list is the representative of South Africa, to whom I give the floor.

Mr. Raubenheimer (South Africa): I wish to make use of this opportunity to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of January and to express our appreciation for the convening of this important open debate on an issue that greatly affects us all. South Africa also wishes to thank the Secretary-General for his report on small arms (S/2003/1217), which contains numerous recommendations that warrant our attention. My delegation notes in particular the recommendations on the implementation of the United Nations Programme of Action, and we acknowledge the valuable role played by the Security Council in combating the illicit trade in small arms and light weapons in all its aspects.

The United Nations Programme of Action, which the international community adopted in 2001, set out important steps on which we, as Member States, should take action at the national, regional and global levels in order to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. The full and early implementation of the Programme of Action is crucial if we are to succeed in our collective efforts to address this illicit trade, which affects us all.

The United Nations First Biennial Meeting of States to Consider the Implementation of the Programme of Action — which was held in July 2003 under the able leadership of Ambassador Inoguchi of Japan — proved that the political will exists to eradicate this illicit trade, in collaboration with civil society. The General Assembly, through its recently adopted resolution 58/241, on the illicit trade in small arms and light weapons in all its aspects, prioritized the work of and set the small arms agenda for the international community until 2006, the year in which the implementation of the Programme of Action will be reviewed by Member States. In terms of that resolution, the time frame and venue for the 2006 review conference of the Programme of Action have been set and an open-ended working group to negotiate an international instrument on the tracing of illicit small arms and light weapons has been established. In addition, further work on the important issue of brokering has been mandated.

The proliferation and excessive accumulation of small arms and light weapons continue to pose a threat to the security and stability of many nations, inhibit their development and undermine good governance. The human suffering caused by such weapons needs to be addressed urgently in a practical and action-oriented manner, which would provide substance to the many statements made on this issue in the recent past.

In that regard, South Africa is pleased to note from the Secretary-General's report that significant progress has been achieved in the tracing of illicit small arms and light weapons. We believe that the negotiations on a tracing instrument, to be undertaken in the General Assembly's open-ended working group, will culminate in a practical and effective instrument that will assist Member States in tracing the origin of these weapons and the routes used to transfer them. Such an instrument will also facilitate the effective implementation of arms embargoes, as mandated under Chapter VII of the Charter of the United Nations. Cooperation among Member States on the issue of tracing illicit small arms and light weapons and the minimum standards for marking and keeping records of these weapons will make it increasingly difficult to undertake activities aimed at circumventing such embargoes.

South Africa concurs with the observation by the Secretary-General that the issues of end-user certificates and illicit brokering activities have emerged as areas where interaction between the Security Council and the General Assembly can be enhanced. We have learned through experience that, if activities related to fraudulent end-user certificates and illicit brokering are not curtailed, we will surely fail in our endeavours to eradicate the scourge of illicit small arms and light weapons. We hope that the work envisaged by the General Assembly on illicit brokering activities will culminate in a better understanding of that problem and will identify practical steps to eradicate such activities.

Although no concrete work on the issue of end-user certificates has yet been mandated by the United Nations, South Africa believes that the General Assembly, at its fifty-ninth session, should consider the possibility of establishing a mechanism to study that

important issue and to provide the Assembly with recommendations on how to deal with it.

South Africa's policy on small arms has identified the importance of regional approaches in addressing the problem of the proliferation of small arms and light weapons. We have learned from our own experiences that peace and security are conditions for sustainable development. The inclusion in the New Partnership for Africa's Development of a peace and security initiative maps out the commitment of the African continent to the promotion of long-term conditions for development and security.

In that regard, South Africa fully supports the Secretary-General's recommendations related to disarmament, demobilization and reintegration (DDR) initiatives, and we welcome the inclusion of such measures in Security Council- mandated peace operations. Involvement and support on the part of international financial institutions as well as relevant development agencies — especially in the reintegration process — cannot be overemphasized, as their participation will ensure the success of the DDR process as a whole.

South Africa continues to believe that the Security Council and the General Assembly have two complementary, but distinct, roles to play in preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects. Therefore, it is important to avoid duplication of initiatives in areas of common effort by the Council and the Assembly, as identified in the Secretary-General's report. Accordingly, we trust that the Council will remain seized of this matter and will continue to take effective and practical steps in support of the implementation of the Programme of Action.

The President (*spoke in Spanish*): I now call on the representative of Colombia.

Mr. Giraldo (Colombia) (*spoke in Spanish*): At the outset, I wish to congratulate you, Sir, on assuming the presidency of the Security Council this month and on organizing this debate. For a sister country such as Colombia, it is a source of satisfaction to see Chile presiding over the United Nations organ charged with the difficult task of maintaining international peace and security.

I should like to begin my statement with some reflections on the subject we are considering. One of the worst tragedies that much of humanity seems condemned to experience proceeds from the use and abuse of small arms and light weapons and from the trade and trafficking in them. Moreover, all so-called low-intensity conflicts are fed, maintained, expanded, deepened and degraded because of our incapacity to effectively fight the illicit trade in such weapons. In addition, the possibilities of negotiating to resolve such conflicts are negatively affected by the continuous flow of these instruments of war and death. Even already-signed peace agreements have failed because of the armament of the parties, facilitated by the world traffic in these weapons.

Scandalized or not, the world watches as major arms traffickers with huge fortunes appear in entertainment magazines with absolute impunity for their grave crimes against humanity.

At the United Nations, we talk at length about conflict prevention and resolution. One elementary and effective way not only to resolve and prevent these misnamed low-intensity conflicts, but also to make them nearly impossible, is to combat the illicit trade in small arms and light weapons and to control the licit trade in such arms more effectively. The Organization has undertaken a process on these matters that — although it is a slow process — my country appreciates. However, we should ask ourselves if the ongoing efforts are adequate and effective enough to put an end to this scourge.

The millions of deaths and injured, the disabled people maimed by these weapons in their massive destruction year after year require of us more action, more commitment and more imagination to face this problem. Could the Security Council deal with this issue under Chapter VII of the Charter the same way it used resolution 1373 (2001) to fight terrorism, taking into account that the illicit trade in small arms and light weapons is an equal or even greater threat to international peace and security?

Here I finish my initial thoughts and begin my comments on the report under our consideration. The Secretary General's 12 recommendations can be divided into those that can be implemented directly by the Security Council — those relative to peace-building, conflict prevention and arms embargoes and their monitoring systems — and those that should be implemented by Member States, to which the Security Council can only appeal or encourage their compliance.

For my delegation, it is particularly significant that the Secretary-General reported significant progress or encouraging indications on most of the recommendations to be implemented by Member States, while progress on those to be implemented directly by the Security Council is not as significant and indications are not as encouraging.

In effect, this year in the General Assembly, Member States will begin to negotiate an international instrument to enable States to identify and trace illicit small arms and light weapons — recommendation 1. States are also committed to provide technical and financial support to the Interpol Weapons and Explosives Tracking System — recommendation 2; in this task we underline the financing provided by the United States of America. Member States have also enhanced transparency in armaments through an increased participation in the Register of Conventional Arms and the United Nations standardized instrument for reporting military expenditures — recommendation 12.

However, a lack of compliance with arms embargoes by Member States is noted — the subject of recommendation 5 — due to inadequate legislation, lack of enforcement and technical capacity limitations. Moreover, there has been no significant progress on legislation to ensure effective control over the import, export and transit of small arms and light weapons or on the use of authenticated end-user certificates — this relevant to recommendation 9. That was noted during last year's First Biennial Meeting of States to consider the Implementation of the 2001 Programme of Action. Only 98 States presented reports, where it is reflected that 78 of them have export-import control laws and only 39 meet end-user certificate requirements. Even more worrisome is the situation regarding brokering activities: only 16 countries have domestic regulations covering this area.

Allow me here, Mr. President, to emphasize parenthetically that export control mechanisms should not be based on criteria that take into account only the views and interests of the producing and exporting countries, without consideration of the interests of the importing countries, in particular countries affected by the illicit trade in small arms and light weapons. Criteria such as respect for human rights, the existence of internal conflicts and the imbalance between defence and development expenditures, although legitimate and even commendable, are by their very nature subjective, not objective criteria. Furthermore, such criteria, applied by the exporting country, violate the right of all States to import and possess small arms and light weapons for their self-defence and security needs, in accordance with Article 51 of the United Nations Charter, which recognizes the inherent right of self-defence. Such criteria also tend to violate the principle of non-intervention and to decide unilaterally what should be the security and defence needs and priorities of the importing country. This is a typical case in which the good intentions by the exporting State — to control small arms exports and minimize the risk of diversion of those weapons into the illegal trade — end up doing great damage: preventing the affected importing States from acquiring for their legitimate forces the small arms and light weapons they require to fight criminals and terrorists, who possess enough illegal small arms and light weapons to destabilize a country.

Therefore, we consider it to be more fair and effective to establish strong national end-user certificates, as well as to set up a regional and global end-user certificate system, and to create a mechanism for information exchange and verification. We also advocate the adoption of additional measures such as the certification of exports after shipping and the double verification of the end-user certificates.

With respect to the recommendations whose implementation depends directly on the Security Council, we note even less progress than on those whose implementation corresponds to States. The Council barely took note of the Secretariat's proposal to create a small arms advisory service on the basis of extrabudgetary resources — recommendation 3 in the report. It did not enhance its interaction with the General Assembly on issues relating to small arms in order to develop long-term strategies within the framework of conflict prevention and peace-building — the subject of recommendation 4. Nor did it register major progress with respect to the links between the illicit trade in small arms and light weapons and the illicit exploitation of natural resources, and no progress was made on the links with the trade in illegal drugs — the subject of recommendation 6.

On recommendation 7, related to disarmament, demobilization and reintegration, some important efforts by the Security Council were registered. Nevertheless, they are insufficient due to the lack of

compliance with recommendation 8 on financing those programmes from the budget for peacekeeping operations. Financing those programmes with voluntary funds, which tend to be very limited, puts at grave risk disarmament, demobilization and reintegration in post-conflict zones and, as a consequence, peace-building. Furthermore, it leaves at large in those zones a huge quantity or arms and ammunition, which are transferred to other areas and countries in conflict.

The Security Council should also give greater attention to recommendation 10, regarding arms embargoes in situations under its consideration, particularly embargoes against non-State actors. More attention should also be given to the restriction of the supply of ammunition for weapons that are already widely available for non-State actors in countries or regions engaged in or emerging from armed conflicts. On this question, it is worth underlining the observation by the Panel of Experts on Somalia: armed groups in that country require steady access to ammunition more than to arms, which are already available in great quantities in the chaotic war the country is experiencing. The Panel therefore recommended that the front-line and neighbouring States be urged to establish sanctions assistance offices on their territories with the help of regional and subregional organizations.

This recommendation is valid for all conflicts in which there is a destabilizing accumulation and uncontrolled spread of small arms and light weapons and ammunition. Neighbouring countries have the responsibility to avoid allowing their territory to be used to send small arms and ammunition to non-State armed actors in countries in conflict. The United Nations should urge these countries to assume their responsibilities and comply with their obligations.

Allow me to conclude by noting that, over the past decade, the use of small arms and light weapons caused the deaths of millions of people, seriously wounded or permanently disabled six million people and contributed to the forced displacement of 20 million people. Countries in conflict, almost all of them developing countries, earmark more than 10 per cent of their annual gross domestic product for treating the victims of these conflicts and for trying to control the some 200 million illicit small arms and light weapons circulating around the world. Because of these grave humanitarian and socio-economic consequences of this scourge and because of the serious threat that it poses to international peace, security and stability, it is of vital importance to have controls and rules on the trade in small arms and light weapons at the national, regional and world levels. As this Security Council has already stated, arms-exporting countries are obliged to exercise the highest degree of responsibility in these transactions, and all countries should prevent the illegal diversion and re-export of small arms and light weapons.

The Secretary-General quite rightly said that small arms and light weapons, which annually cause millions of deaths around the world, are the real weapons of mass destruction. Also, the Minister for Foreign Affairs of Colombia was right when he said, in his speech to this Council on 2 August 2001:

> "It is ironic that most of the conflicts in which small arms and light weapons are used take place in the developing world, while most of those arms are produced in the developed world. This terrible irony requires the application to the global trade in such weapons of a principle that has already been accepted in the fight against drug trafficking: the principle of shared responsibility" ... (S/PV.4355).

The President (*spoke in Spanish*): I now give the floor to the representative of Ukraine.

Mr. Kulyk (Ukraine): I wish to take this opportunity to express our appreciation to the delegation of Chile and to you, personally, Sir, for holding this open debate on the issue of small arms. I would also like to thank the Secretary-General for his substantive and timely report on this matter (S/2003/1217).

The illicit trafficking and accumulation of small arms remain among the greatest impediments to sustainable development, conflict prevention and resolution and post-conflict peace-building. It continues to pose a serious threat to human security and human rights.

Ukraine has steadily expressed its concern about the serious humanitarian consequences of this phenomenon, which claims hundreds of thousands of innocent lives all over the world, thus highlighting the global dimension of the problem. We are deeply convinced that, without concerted efforts by the international community to prevent uncontrolled

proliferation of these weapons, it is impossible to maintain peace and regional and global security.

The Programme of Action on Small Arms, adopted by the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, is a significant step towards the goal of controlling this scourge but only the first step. We hope that through the follow-up process successfully started last year, it will be possible to make the implementation of the Programme of Action more efficient and to find ways to strengthen and further develop the measures contained therein.

In our view, it is essential to provide for regional coordination between national control systems and mechanisms for the prevention of small arms and light weapons trade operations. Ukraine reiterates that the responsibility for establishing controls over the trafficking in small arms and light weapons rests with the States acquiring those weapons. At the same time, those States should be encouraged to improve their abilities to curb the illicit trafficking in small arms. This might require substantial financial assistance from the international community.

Ukraine welcomes the report of the United Nations Group of Governmental Experts on Tracing Small Arms and Light Weapons, presented last year in the First Committee. We fully support its recommendation concerning the development of an international instrument, open to all, which will increase the national capacity of States to identify and trace, in a timely and reliable manner, small arms and light weapons, as well as to seize those of illicit nature.

Preventing, combating and eliminating the uncontrolled spread of small arms and light weapons is one of the important issues for the Security Council to look into. It is evident that promoting the conditions for long-term development and security is impossible without resolving ongoing conflicts and taking adequate measures aimed at ensuring stability in post-conflict situations.

The Council has made considerable progress in this work, but I think it is fair to say we still have a long way to go in detailed monitoring and in working with business, financial institutions and other actors — internationally, regionally and at the local level — on the implementation of arms embargoes.

Excessive accumulation of and illicit trafficking in small arms and light weapons continues to fuel and intensify conflicts as well as delay their resolution. The series of innovative measures taken by the Security Council to enhance compliance with arms embargoes, including through establishing independent panels of experts and monitoring mechanisms, have resulted in positive outcomes, especially in Angola and Sierra Leone. At the same time, the problem of illicit trafficking persists in other areas, such as Somalia and Afghanistan.

In this connection, in our view, the last report of the Secretary-General on small arms presents a mixed picture on the imposition of arms embargoes. The restriction on the supply of ammunition to areas of instability requires more attention by the Security Council, as does the issue of identifying links between small arms and light weapons and the illicit exploitation of natural and other resources. We support the Council's consideration of actions against States that deliberately violate arms embargoes.

We believe that, at this stage, it is important to review the lessons learned, in order to ensure the efficiency of further measures that could be taken by the Security Council. In this connection, it will be useful to continue to focus on the financial sources used for the purchase of illegal weapons and to define the role that the relevant international organizations, business and financial institutions and other actors can play in implementing arms embargoes.

Ukraine firmly adheres to the practical efforts undertaken to ensure effective implementation of the United Nations Programme of Action and the Organization for Security and Cooperation in Europe (OSCE) Document on Small Arms and Light Weapons, particularly with regard to the destruction of surplus stocks of small arms and ammunition. In this context, we look forward to a successful future implementation of the NATO Partnership for Peace Trust Fund project to destroy 1.5 million small arms and light weapons and 133 thousand tonnes of ammunition in Ukraine. These efforts are also aimed at assisting Ukraine in coping with its significant ammunition stockpiles. Particular importance in this regard is also attached to the assistance mechanism provided in the OSCE Document on Stockpiles of Conventional Ammunition.

I would like to stress that Ukraine maintains a responsible policy in the field of arms control.

Ukrainian legislation envisages strict measures to prevent illegal manufacturing, possession and trafficking of all types of armaments, including small arms and light weapons. The national export control system provides for effective procedures of export-import licensing. As of today, efforts are being made to improve national legislation in this field. One of the latest steps was the adoption by the Government of Ukraine of its action plan to implement the United Nations 2001 Programme of Action as well as to implement the Organization for Security and Cooperation in Europe (OSCE) Document on Small Arms and Light Weapons of 2000.

In conclusion, let me assure you, Sir, that Ukraine will continue to take an active part in the international efforts towards combating illicit trafficking in small arms and light weapons and in restraining their uncontrolled proliferation. The members of the Security Council can count fully on our support concerning that issue.

The President *(spoke in Spanish)*: There are still a number of speakers remaining on my list. Because of the lateness of the hour, with the concurrence of members of the Council, I now intend to suspend the meeting.

The Council will resume its consideration of the item on its agenda at 3.15 p.m.

The meeting was suspended at 1.20 p.m.

United Nations S/PV.4896 (Resumption 1)

Security Council

Fifty-ninth year

Provisional

4896th meeting

Monday, 19 January 2004, 3.15 p.m.
New York

President:	Mr. Muñoz	(Chile)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	China	Mr. Wang Guangya
	France	Mr. Duclos
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	Spain	Mr. Arias
	United Kingdom of Great Britain and Northern Ireland	Mr. King
	United States of America	Mr. Holliday

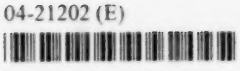
Agenda

Small arms

Report of the Secretary-General on small arms (S/2003/1217)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-21202 (E)



The meeting resumed at 3.35 p.m.

The President (*spoke in Spanish*): The next speaker is the representative of New Zealand, to whom I give the floor.

Mr. McIvor (New Zealand): It is my honour to address the Council on behalf of the members of the Pacific Islands Forum group of countries that maintain permanent missions in New York, namely Australia, the Federated States of Micronesia, Fiji, the Republic of the Marshall Islands, Nauru, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, New Zealand.

We welcome the Council's continuing consideration of the issues surrounding the illicit trade in small arms and light weapons. The Programme of Action adopted at the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects underscored the multifaceted nature of this issue and the real and immediate threat that the illicit trade in and possession of these weapons poses to the security of nations and individuals. The destabilizing effect of the proliferation of such weapons, their role in exacerbating unrest and conflict and their disproportionate effect on civilians, women and children were further recognized at the First Biennial Meeting on the Programme of Action, held in New York last July.

National and regional action remains critical to the effective implementation of the Programme of Action. However, there is also an important role for international initiatives and, in particular, for the Council, to play. Small arms and light weapons remain a significant factor in many of the conflicts currently under the Council's eye. The need for the Council to continue to address small arms issues in its response to particular conflict and post-conflict situations remains real.

In that regard, we welcome the Secretary-General's most recent report (S/2003/1217) on initiatives undertaken to implement his earlier recommendations on ways and means in which the Security Council can contribute to dealing with small arms questions in situations under its consideration. Those recommendations set out a series of practical steps that the Council may take, and we are heartened by the progress made so far.

In particular, targeted and specific arms embargoes — if effectively enforced by Member States — are an important tool at the Council's disposal to prevent the proliferation of small arms in a particular conflict. Strengthened national export controls, including effective end-user certification and an effective cross-border tracing mechanism, are also integral to defending against illicit transfers and ensuring that legally exported arms do not end up in illicit hands.

In the post-conflict phase, effective disarmament, demobilization and reintegration elements are crucial in ensuring that small arms and light weapons do not disrupt peace-building and reconstruction efforts. In that regard, we support the Secretary-General's comments about the importance of increasing the funding for such programmes.

It also remains critical that the Council continue its efforts to identify the links between the illicit trade in small arms and light weapons and the illicit exploitation of natural and other resources. Both have demonstrated their capacity to fuel and sustain conflicts.

Our own region has experienced the lawlessness and political instability that accompanies the unchecked proliferation of small arms and light weapons. It has benefited from the Council's support in managing the role of small arms in respect of the post-conflict situation in Bougainville, where the collection and destruction of weapons is a critical part of the peace process.

Pacific efforts to address the small arms issue centre on a regional approach. The importance of working collaboratively to address security issues was reaffirmed by Pacific leaders in the Biketawa Declaration, which provides for a regional approach to regional security issues. The Biketawa Declaration forms the basis for the current police and military support that Pacific Island countries have extended to Solomon Islands, at the request of its Government, to overcome instability and lawlessness, exacerbated by the spread of illicit small arms. The Regional Assistance Mission to Solomon Islands has led to the surrender of more than 3,700 weapons, the establishment of 16 police posts and the arrest of key militants, providing the conditions for donors to re-engage, for economic recovery to begin, and for a more stable, safe environment.

The effective implementation of the Programme of Action remains a priority for the Pacific region. Pacific Island Forum members have agreed on a common regional approach to weapon control, reflected in the Nadi Framework. At their last annual meeting in August 2003, Pacific Islands Forum leaders endorsed model weapons-control legislation based on that framework. Those steps have been complemented by a regional workshop, co-hosted by Japan and Australia in Tokyo in January 2003, to enhance cooperation in legal and institutional areas, law enforcement and effective small-arms stockpile management.

Finally, that progress notwithstanding, improving national legislation and regional coordination in border controls, law enforcement and armoury management will be essential to combat the threat posed by small arms. In this respect, the Secretary-General's report provides a useful practical guide and outlines areas where further progress is possible. The Security Council's continued attention to small arms issues, particularly in the regional context, will help maintain the international community's resolve to address effectively the issue's security and humanitarian dimensions.

The President (*spoke in Spanish*): The next speaker on my list is the representative of Switzerland, to whom I give the floor.

Mr. Staehelin (Switzerland) (*spoke in French*): Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council, and to thank you for having invited non-members of the Council to participate in this discussion.

Switzerland commends the Secretary-General on his excellent report on ways in which the Security Council could deal with the question of illicit trade in small arms and light weapons in situations under its consideration. The report shows that significant progress has been made in various fields of concern, even though there is still is a long way to go.

Resolution 58/241 of 23 December 2003 on "The illicit trade in small arms and light weapons in all its aspects" provides for the establishment of an open-ended working group to negotiate an international instrument to enable all States quickly to identify and reliably to trace illicit small arms and light weapons and follow their movements.

On 15 January, during informal consultations, the Swiss Ambassador, Anton Thalmann, was appointed to chair that group. The group intends to proceed in an open and transparent manner.

The opening of negotiations on an international instrument to identify and trace illicit small arms and light weapons is an important step towards implementing one of the important commitments made in the United Nations Programme of Action. Switzerland encourages all Member States to participate constructively.

One issue that requires our full attention is the question of United Nations arms embargoes. The report of the Secretary-General underlines the fact that they have proved extremely difficult to enforce, which contributes to the prolongation of conflicts. In order to enforce embargoes and to bridge legal gaps, it is essential effectively to combine national, regional and international means of monitoring the arms trade.

Switzerland believes that international cooperation can succeed only if each State introduces its own relevant national legislation.

An arms embargo is a whole chain of action; therefore monitoring mechanisms should be included that can identify the weakest links in that chain — particularly since such mechanisms may, because of their very existence, have a deterrent effect on those who might be tempted to violate such an embargo.

But such mechanisms require sufficient resources; otherwise, their effects will remain incomplete. It is therefore essential that States Members of the United Nations provide all the necessary technical and financial support to the various expert groups working in the area of arms sanctions.

The report of the Secretary-General notes that the Security Council has focused in particular on disarmament, demobilization and reintegration (DDR) programmes in its peacekeeping operations. The parties to conflicts must undertake a political commitment to include DDR components in their peace agreements. Likewise, closer cooperation should exist between the Peacekeeping Best Practices Unit of the Department of Peacekeeping Operations and the Special Committee on Peacekeeping Operations. This would be extremely beneficial.

In conclusion, I would point out that DDR programmes are complex and require considerable

financial resources, as do campaigns to collect and destroy illicit weapons. Switzerland contributes substantially to the World Bank Fund for disarmament in Sierra Leone and to the United Nations Development Programme Fund for Liberia. These programmes have aspects that are very closely related to the areas of work of national or multilateral development agencies. But members of those agencies are beginning to understand to what extent armed violence can thwart development programmes. Therefore, in order to increase the effectiveness of such DDR strategies, United Nations system agencies and Member States should try to mainstream the problem of small arms and light weapons into their development programmes.

The President (*spoke in Spanish*): The next speaker on my list is the representative of Peru, to whom I give the floor.

Mr. De Rivero (Peru) (*spoke in Spanish*): First of all, Sir, allow me to congratulate you on Chile's very efficient guidance of the work of the Security Council, as further confirmed today by the convening of this open debate of the Council to address a topic that is of such great concern to the international community — the illicit trade in small arms and light weapons.

Small arms are today a threat to peace and security. They kill more people than any other type of weapon, and they endanger human security and make the streets unsafe in almost all the Member countries of the United Nations.

According to the figures provided by the Organization, there are more than 600 million small arms and light weapons in circulation around the world. Forty-seven of the 49 major armed conflicts of the 1990s were waged with small arms. Small arms cause half a million deaths a year: 300,000 in armed conflicts and the remaining 200,000 in murders, suicides and accidents. Small arms and light weapons are one of the central factors in world violence and urban insecurity in all countries, particularly in parts of Africa, the Middle East, Asia and Latin America. Today, terrorism, drug trafficking, common crime and most civil conflicts that plunder nations in developing countries are undoubtedly fuelled by the immense illicit trade in small arms, whose victims outnumber those of any other type of heavier or more sophisticated weapon.

For those reasons, my country — having fought terrorism, including weapons trafficking, for nearly 13 years and having overcome it — participates actively in all current initiatives to prevent and combat the illicit trade in small arms and light weapons. We complied with the requirement of submitting a national report, in conformity with the mandate of the 2001 Programme of Action, and we participated in formulating the Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. In addition, we served as Vice-Chairman of the First Biennial Meeting, held in New York, and we have supported every initiative that might enable us to make progress in this area.

It is paradoxical that, since the creation of the United Nations, small arms and light weapons have consistently killed more people than the feared weapons of mass destruction, chemical, biological and nuclear, yet the United Nations has no international treaty to regulate these small and lethal weapons. Although we undoubtedly made progress with the Programme of Action established in 2001, we are still far from finding effective solutions, because little can be achieved with non-binding resolutions and statements. Therefore, the Security Council's growing interest in dealing with this massive problem — which affects human security on every continent — is encouraging.

So we must ask ourselves: what, then, can the Security Council do to effectively halt the illicit trade in small arms? The clearest response now — there is no other — is to carry out the recommendations contained in the Secretary-General's report on this matter. We believe they are fundamental to achieving effective mandatory control over small arms and light weapons. Among those recommendations, the following are very important.

First, the Security Council should establish concrete mechanisms to obligate States to comply with the embargoes imposed by the Council against these weapons. The Council must then establish monitoring mechanisms and undertake enforcement measures against Member States that violate the embargoes.

Secondly, the Security Council must support the open-ended working group established by the General Assembly to negotiate an international legal instrument enabling States to identify and trace illicit small arms and light weapons.

Thirdly, the Council must coordinate with the General Assembly to promote, in any international action aimed at conflict prevention, strategies aimed at combating the illicit proliferation of small arms.

Fourthly, the Security Council must continue its efforts to identify the links among the illicit trade in small arms, the illegal exploitation of natural resources and drug trafficking.

Fifthly, the Council must include in the mandates of peacekeeping operations concrete provisions on the disarmament, demobilization and reintegration of former combatants. The main task should be to collect and eliminate surplus small arms and light weapons in order to prevent illicit trade that could generate new conflicts or criminal violence. That task must be closely related to an increase in the financial resources available to light-weapons disarmament programmes within the framework of peacekeeping operations, thus ensuring that such an important process does not depend on voluntary contributions.

In conclusion, I wish to reiterate that the best thing the Security Council can do today is to provide all possible support to initiatives aimed at negotiating an international legal instrument that will enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. Although it is certain that a legal instrument will not guarantee the end of the multi-million-dollar trade represented by the illicit sale of such weapons, it is also certain that such an instrument will be an important point of departure in combating a situation that, from the perspective of human security, is becoming unsustainable.

For all those reasons, Peru strongly supports the negotiation by the General Assembly of a legal instrument to identify and trace small arms and light weapons and congratulates you, Mr. President, on having convened this meeting.

The President (*spoke in Spanish*): I now call on the representative of the Syrian Arab Republic.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): I thank you, Mr. President, for convening this open meeting, which provides another opportunity for Member States to express their views and concerns with regard to the issue of the illicit trade in small arms and light weapons. I should also like to thank the Secretary-General for his report (S/2003/1217) on this subject. In addition, I cannot fail to express our thanks and appreciation to Mr. Nobuyasu Abe, Under-Secretary-General for Disarmament Affairs, for introducing the Secretary-General's report.

The 2001 United Nations Conference reaffirmed that the problem of the illicit trade in small arms and light weapons is extremely complex and difficult. It threatens the lives of innocent people, particularly children, women and the elderly, who continue to fall victim to such weapons. That is why we have called upon all States — particularly manufacturing and exporting States — to make every possible effort, through international cooperation, to find effective solutions that will put an end to this tragedy.

The catastrophic damage caused by small arms and light weapons has become obvious in the conflicts that continue to afflict a number of African States as well as in conflicts in States in other regions. In this regard, we renew our appeal to all Member States to respect the embargoes imposed by the Security Council on the export of small arms and light weapons to African countries suffering from conflict situations.

Here, I should stress that addressing the issue of the illicit trade in small arms and light weapons must in no way mean setting aside the priorities established by the United Nations in the disarmament field. Those priorities were clearly and unanimously set out by the international community in the Final Document of the first special session of the General Assembly devoted to disarmament, held in 1978. That document emphasized that top priority must be given to disarmament in the area of nuclear weapons and the other most lethal weapons of mass destruction.

Syria participated in the conference organized by the Department of Disarmament Affairs, in cooperation with the League of Arab States, a few weeks ago in Cairo, Egypt, to study the needs and difficulties of Arab States in confronting the issue of the illicit trade in small arms and light weapons.

We hope that the outcome of the Conference will be reflected in a future report of the Secretary-General. In that regard, I underline that the difficulties faced by Arab States are a result of the current situation: Israel's occupation of Arab land and Israel's massive arsenal of all types of nuclear, chemical and biological weapons, in addition to its many advanced conventional weapons systems.

Out of its desire to make the Middle East a region free of all weapons of mass destruction, Syria has submitted a draft resolution, which remains before the Security Council, calling for the elimination of all weapons of mass destruction in the region. We hope that the situation will ripen, allowing all Council members to vote in favour of that draft resolution.

Given the importance of regional and international interaction and cooperation in confronting the problem of the illicit trade in small arms and light weapons, Syria has signed many agreements with friendly and sister States to confront the problem and maintain our common security.

While we affirm the importance of the role of the Security Council in maintaining international peace and security, we nevertheless believe that the Council must address the root causes of the conflicts in which such weapons are used. It should deal with those causes and stress the vital need for compliance with its resolutions in those situations. The Council could also encourage initiatives aimed at mobilizing resources and expertise in order to strengthen the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. It could also, if so requested, provide assistance to States to overcome the difficulties they face in implementing the Programme.

Allow me to stress once again that Syria is ready for fruitful cooperation with all States within the framework of the United Nations to seek reliable means for eradicating the illicit trade in small arms and light weapons. That would surely promote the role of the United Nations in setting out the rules of multilateralism in all aspects of international relations.

The President: I now give the floor to the representative of Canada.

Mr. Laurin (Canada): I take this opportunity to congratulate you, Sir, on your election to the presidency of the Security Council and to thank you for permitting this debate on small arms and light weapons.

The pervasive and pernicious impact of small arms on international peace and security requires the Security Council's sustained attention to this issue. Canada is encouraged by the Council's recent progress on small arms, including with regard to enhanced implementation of arms embargoes. We urge the Council to continue to focus its attention on the problem of small arms and its relationship with respect for human rights and humanitarian law as well as more traditional security concerns. Enhanced interaction with the General Assembly to promote the further development of long-term strategies within the framework of conflict prevention and peace-building could also be beneficial.

This debate affords us an invaluable opportunity to recognize the substantial progress made to date, consider lessons learned and, most important, commit ourselves to addressing outstanding challenges with renewed vigour. The Secretary-General's report (S/2003/1217) serves as a useful guideline for immediate international action. Compliance with arms embargoes and sanctions regimes is key to international peace and security. Canada calls upon all Member States to effectively implement arms embargoes imposed by the Security Council. Where necessary, the Council should strengthen States' capacities to uphold such embargoes, including via air surveillance oversight. We urge the Council to continue to utilize the tools available to it, including reports and recommendations from monitoring groups and panels of experts, to investigate alleged violations. Where appropriate, the Council should also give consideration to measures to be taken against those who violate arms embargoes.

We would note that the Interpol Weapons and Explosives Tracking System, created in Canada by the Royal Canadian Mounted Police, is an excellent example of a mechanism designed to identify and monitor arms traffickers who have violated arms embargoes established by the Council.

We would also underline the importance of the work of experts in exposing the link between the illicit trade in small arms and the illicit exploitation of natural resources. We urge the Council to take appropriate measures to break the link between arms shipments through illicit channels and the illicit exploitation of resources. In that regard, Canada recognizes the need for consistent and verifiable end-user certificates and welcomes the Secretary-General's recommendation that all States establish the necessary measures to ensure effective control over the export and transit of small arms.

The forging of end-user certificates continues to thwart international efforts to ensure accurate

monitoring of arms exports. Attention must also be paid to the question of State responsibility for arms transfers. There is no doubt that an effective global response to small arms issues must address control on transfers between States as well as transfers to non-State actors.

Effective disarmament, demobilization and reintegration programmes also merit additional Council attention, particularly as successful post-conflict reconstruction and reconciliation are often contingent on concerted national, regional and multilateral cooperation, as well as on sustained political will and the concomitant allocation of requisite resources.

It is important to note that the responsibility to address this issue falls not only to the Council but also to States, international and regional organizations and civil society. Much progress has been made by these actors, including the recent establishment of an open-ended working group to negotiate an instrument to enable States to identify and trace illicit small arms and light weapons. We look forward to the start of such critical work, which, once completed, will help to curb illicit transfers of small arms and prevent their exportation to areas where they risk exacerbating conflicts and contributing to serious violations of human rights and international law.

(*spoke in French*)

Small arms and light weapons are still one of the main causes of human suffering throughout the world, as they account for more than half the loss of lives in modern conflicts. First and primarily, it is individuals that suffer: girls, boys, women and men, in various tragic ways. In order to succeed, strategies to reduce the proliferation and misuse of small arms and light weapons must recognize those various requirements. We must work locally with those who suffer daily from this scourge and enable civil society, including women's organizations, to participate in designing programmes. Our efforts must promote both demand reduction strategies and community police initiatives. In order to achieve those great goals, it is important to set up a competent and responsible security sector designed to strengthen public security and better respond to collective needs. The proliferation and inappropriate use of small arms and light weapons has profound effects that we need to consider. The problem goes beyond the military, political, arms control and disarmament domains: it has human and humanitarian effects, as well as significant socio-economic consequences.

In that context, Canada primarily and above all seeks to protect people and to make their communities safer. We will continue to actively participate in various regional and multilateral organizations in the Human Security Network in order to attain those goals.

Canada supports the efforts currently undertaken by the United Nations to render the coordinated action against small arms even more effective. The multi-faceted nature of the important problems that these weapons entail requires a coordinated and exhaustive response that would use the resources and competencies of various United Nations bodies. In our view, we need to strengthen and focus this action, because therein lies the key to an integrated international response.

The challenge for the Security Council and for Member States — as well as their partners in international organizations and civil society — is to now implement this urgent programme, [illegible] the collective quest for tangible progress. We must involve ourselves in other policy research and development activities in order to bridge the gaps in the international response, to provide the resources that this requires and to prepare us for the biennial meeting of 2005 and the review conference of 2006. We must act now in a creative and constructive manner to achieve our common objectives.

The President (*spoke in Spanish*): Before giving the floor to the Ambassador of Zimbabwe, I would like to recall what was said this morning about confining the length of statements to five minutes for the sake of the efficiency of the Council's work. We will be circulating the full text of statements provided by delegates.

I now give the floor to the representative of Zimbabwe.

Mr. Chidyausiku (Zimbabwe): Failure to actively participate in today's open debate, which addresses one of the most acute problems of our times, the scourge of small arms and light weapons, would be a dereliction of duty on my part.

We thank you, Mr. President, for convening this meeting. As noted in the Secretary-General's report on small arms of 31 December 2003 (S/2003/1217), which provides the basis for our meeting today, small arms

have acquired the less than enviable role of being one of the main vehicles of violence and social instability in many developing countries. My delegation welcomes the report's recommendations on the implementation of the United Nations Programme of Action on Small Arms as well as the call for the Council to strengthen the financing of disarmament, demobilization and reintegration (DDR) programmes.

In Southern Africa, a growing number of issues that know no borders, such as smuggling and trade in small arms and light weapons and drugs, demand a coordinated regional response. The Southern Africa Regional Action Programme on Light Arms and Illicit Arms Trafficking is guided by the Southern African Development Community (SADC) Summit decisions of August 1999. On the issue of prevention and combat of illicit trafficking in small arms and related crimes, the SADC Summit noted that conflicts in the SADC region over many years led to a proliferation of arms, including light weapons. This, in turn, contributed to an increase in criminal activities, such as armed robberies, illicit trafficking in small arms, drug trafficking, money laundering and carjackings.

Relying on its philosophy, which is best described by the adage "cooperation is better than competition", SADC has developed a well-coordinated framework to effectively combat armed trans-border crime and curb the flow of small arms and light weapons.

SADC has established the Southern African Regional Police Chiefs Cooperation Organization, which acts as the regional database for information associated with the flows of small arms and light weapons.

The harmonization of basic criminal law relating to drugs and small arms trafficking has also been a priority area. This has been linked to the training and education of the judiciary to encourage tougher sentencing for firearms offences.

In the past, Zimbabwe has played an active and influential role in this area, especially at the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and its associated preparatory committees. Zimbabwe signed and ratified the SADC Protocol on Firearms, Ammunition and Other Related Materials in August 2001, which provides a useful model for other regions when considering the implementation of the Programme of Action on Small Arms.

The Protocol reflects priority needs that relate to the following: the coordination of procedures for the import, export and transit of firearms shipments; the standardized marking and identification of firearms at the time of manufacture, import or export; transparency and information exchange; and measures promoting legal uniformity and minimum standards relating to the manufacture, possession, import, export and transfer of firearms and ammunition.

At a national level, Zimbabwe does not manufacture small arms, nor does it have a national coordination agency designed to deal specifically with small arms and light weapons. However, there is an existing mechanism of interaction and cooperation between appropriate ministries and State agencies in the field of arms control and disarmament and the politico-military dimension of security.

In accordance with the United Nations Programme of Action on Small Arms, Zimbabwe is in the process of establishing a regional point of contact on small arms and light weapons. Also in line with the increasing focus on the importance of strengthening strategic export and import controls, Zimbabwe has taken steps to ensure that its import controls conform to the highest international standards.

Zimbabwe's municipal laws pertaining to firearms and ammunition provide a range of interesting learning points. We have a Central Firearms Registry, which acts as a database for civilians who own firearms. The security ministries are in the process of developing guidelines for undertaking a national review of firearms legislation.

The integration into our Programme of Action of the Secretary General's recommendation that the Council strengthen the financing of disarmament, demobilization and reintegration programmes (DDR) will enhance the preventive measures already in place.

Zimbabwe and, indeed, most of its neighbours that waged wars of national liberation know the importance of well coordinated and funded DDR programmes. Some of the projects essential for successful DDR programmes include the following: the provision of small-scale credit to returning female ex-combatants and refugees, to facilitate their reintegration into the community; the integration of demobilized soldiers into the economic and social reconstruction process through support for small scale projects that provide income and employment

opportunities; funding for vocational training and promotion of micro-enterprise for demobilized soldiers; and support national programmes for reintegration counselling and referral services.

In the case of the SADC, the international community's support of the Regional Peacekeeping Training Centre should be unwavering. The centre provides training for army and civilian police personnel who participate in United Nations peacekeeping missions.

In conclusion, if our goal is prevention, that is, curbing further international small arms proliferation by way of strengthening the international capacity to monitor and suppress the flow of small arms and light weapons, our endeavours must tackle both the supply and the demand side of the equation. In other words, a holistic approach is needed, which addresses the causes driving the demand for arms, such as poverty and social deprivation.

International action to address small arms and light weapons proliferation should not be a substitute for coherent foreign and international policies to promote economic development in the developing world. Our gathering today should not provide a pretext to avoid tackling the underlying causes associated with poverty, unemployment and socio-economic exclusion. I must emphasize that failure to address the demand side of the small arms and light weapons plague is likely to render all our other efforts nothing more than an exercise in futility.

It is our fervent hope that the Council will remained seized of this matter and continue to encourage practical steps in support of the Secretary-General's recommendations.

The President (*spoke in Spanish*): I now give the floor to the representative of India.

Mr. Nambiar (India): Mr. President, I congratulate you on Chile's presidency of the Council for the month of January. We also congratulate Bulgaria for its steering of the Council in December. We welcome the presence of new members of the Council — Algeria, Benin, Brazil, Philippines and Romania, and extend our good wishes to them.

We thank you, Mr. President, for convening this open debate of the Security Council on small arms. India attaches importance to this issue and is committed to the eradication of illicit trade in small arms and light weapons. In keeping with this commitment, we have been closely following this issue in both the General Assembly and the Security Council, and have actively contributed to cooperative international efforts in addressing this multi-faceted issue.

India is particularly aware of the complexity and lethal nature of the problem of illicit trafficking in small arms and light weapons. Since 1990 the Government of India has seized in its states in the north-east and in the north, approximately 39,000 weapons of all types. Their markings clearly indicate that the sources of these weapons lie outside India. Over the last two decades, thousands of innocent civilians in India have fallen victim to the acts of terrorists who use such illicitly obtained weapons for their nefarious activities. We have also paid a high developmental cost as a result.

India has, therefore, been actively associated with the various initiatives under the aegis of the United Nations to address the problem of illicit trafficking in small arms and light weapons and welcomed the adoption of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July 2001. Since then, India has been engaged in the comprehensive and effective implementation of the Programme of Action. We reiterate that commitment today.

India welcomes the report of the United Nations Secretary-General contained in document S/2003/1217, on the ways and means by which the Security Council could contribute to that issue. Since almost all terrorist activities involve the use of illegal weapons, including small arms, addressing that issue would also contribute to the larger goal of combating terrorism.

There were also a number of recommendations in the Secretary-General's report of 2002 (S/2002/1053), which could go a long way towards combating the problem of small arms. India is particularly pleased to see that definite progress has been made in the implementation of some of those recommendations.

An important recommendation was made with regard to the development of an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. India had the honour of chairing the Group of Governmental Experts constituted by the Secretary-

General pursuant to General Assembly resolution 56/24 V of 24 December 2001 to study the feasibility of developing such an international instrument. The group recommended by consensus that it was both desirable and feasible to commence work on such an instrument under United Nations auspices — a recommendation which was endorsed by the General Assembly at its fifty-eighth session. India would continue to contribute in the efforts for the early finalization of such an instrument. We believe that would be a significant step in our efforts to combat and eradicate the illicit trade in small arms and light weapons.

India was also associated with the Group of Governmental Experts constituted to study the continued operation of the United Nations Register of Conventional Arms and its further development. The Group was able to adopt by consensus its report in which it agreed to the inclusion of man-portable air defence systems within the scope of the Register. Further, the group was also able to recommend that interested States may, on a voluntary basis, report on the transfers of small arms and light weapons as well. As we are all aware, those weapons have become instruments of choice of terrorists to execute their acts. We hope that these steps, which are in keeping with the recommendations of the United Nations Plan of Action, would help in reinforcing our collective efforts to deal with this scourge.

Illicit trade occurs because of illicit production or because licit production or licit stocks enter the gray and black markets, thus swelling the illicit weapons market. Those weapons end up in the possession of criminals, thereby exacerbating problems for law enforcement agencies and, worse, getting into the hands of unscrupulous arms brokers, ending up in areas of conflict and into the hands of extremists and terrorists. The Programme of Action recognizes that measures are needed to ensure that there are effective controls over legal transfers of small arms and light weapons.

India follows a very strict policy with regard to the export of small arms and light weapons that includes the requirement for end-user certificates on a Government-to-Government basis, and a ban on exports to countries under United Nations embargo. It is our hope that all other States would also undertake an obligation not to supply such weapons to non-State actors and would insist on authenticated end-user certificates to ensure effective control over the export and transit of such weapons. The international community, for its part, must also ensure that the trade in arms flows only through channels authorized by both the exporting and importing Governments.

Greater exchange of information and collaboration between Governments would be essential in order to effectively address the problem. In that context, we support the need to strengthen the effectiveness of the International Criminal Police Organization's (Interpol) International Weapons and Explosive Tracking System (IWETS). We are happy to note that Interpol is presently undertaking technical evaluation to integrate the IWETS with its communications systems and hope that that would be completed soon. This would provide an additional tool for Member States to fight terrorism and other crimes associated with the illicit trafficking in small arms and light weapons.

Linkages among illicit trade in small arms and light weapons, the illicit exploitation of natural and other resources, as well as the trade in narcotic drugs, are important in the context of Somalia and Liberia as brought out in the report of the Secretary-General. We trust that careful consideration would be given by the Security Council to the recommendations and findings of committees constituted to investigate such linkages. For its part, the international community must also extend all the assistance necessary to help with the disarmament, demobilization and reintegration programmes in the relevant post-conflict situations.

Although the Programme of Action provides an adequate basis for further work at all levels — national, regional and global — and the primary responsibility rests with the Member States themselves to address the problem, we trust that the Security Council will take effective and practical steps, based on this report, in respect of those recommendations which are directly within its competence. Such steps would restrict the availability and use of illicit small arms and further help the implementation of the Programme of Action.

The President (*spoke in Spanish*): I now call on the Ambassador of Indonesia.

Mr. Jenie (Indonesia): My delegation welcomes the convening of this open debate by the Security Council in its continuing efforts to deal with the critical problems posed by the illicit trade in small arms in conflict-ridden areas. In recognizing the devastating

consequences of the accumulation and illegal trade of those weapons, the Council has, to its credit, undertaken a number of measures in stemming the flow of arms to the conflict areas under its purview. While those efforts have led to positive results in some areas of the world, the problem has persisted in others with the potential to ignite even greater disasters, and has therefore become a preoccupation of the international community.

Such illegal activities have not spared any country or region. A sizeable number of illegally possessed weapons flow to our region, fuel violent crime, give rise to additional conflicts and engender instability and insecurity at the national and regional levels. These weapons have become part of the growing menace of transnational organized crime.

My country has also been an unfortunate victim of those vicious activities. Because of its long coastlines and unique geographical attributes, Indonesia is particularly vulnerable to illegal transfers of small arms. Organized crime now easily make huge illegal profits across borders in different countries by utilizing advanced transportation and communication technologies.

Hence, for us, the fight against individuals and organizations that indulge in the illicit trade of weapons has become a national priority, that must take into account implications for our territorial integrity and commitment to maintain national unity. Such an unsettling state of affairs also hinders the settlement of separatist tendencies in certain parts of the country that are detrimental to our national stability and security.

It is against these overriding considerations that my delegation welcomes the report of the Secretary-General in document S/2003/1217 and the recommendations contained therein to curb and eliminate the global scourge of small arms. We also welcome in particular the call for efforts to develop an international instrument to enable States to identify and trace illicit arms in a timely and reliable manner. In this regard, we endorse the finding of the Group of Experts that it is feasible to develop such an instrument that would make a significant contribution to eradicate that menace. The General Assembly's decision to establish a working group to negotiate its nature and scope is a step in the right direction and we look forward to actively participating in its deliberations.

My delegation is gratified to note the Secretary-General's recommendation for greater interaction between the General Assembly and the Security Council within the framework of international efforts at conflict prevention and peace-building that would promote, in a coordinated manner, the crucial task of developing long-term strategies to halt the illicit proliferation of small arms and could, in particular, promote the implementation of the United Nations Programme of Action on Small Arms at national, regional and global levels. States belonging to the Association of South-East Asian Nations are active at those levels, in implementing that programme.

In the post-conflict period in the countries cited in the report, which are mostly in Africa, commendable progress has been made in such diverse areas as consolidating State authority throughout the country, implementing demobilization, disarmament, rehabilitation and resettlement programmes for ex-combatants, fostering human rights and national reconciliation and promoting socio-economic progress. These efforts were undertaken within the right of States to self-defence and security and without prejudice to their corresponding right for effective control over the export, import, transit and storage of small weapons. They are all crucial to the consolidation of peace and security.

For these reasons, my delegation commends the Secretary-General's proposal for the maintenance of a comprehensive approach to address these situations, including with regard to rendering assistance in capacity-building and confidence-building measures; conflict prevention initiatives and peacekeeping operations; and the establishment of a secure environment for sustainable development. Thus, complex challenges involving the political, security, humanitarian and economic dimensions of conflict in a region can be taken as a whole to facilitate the transition from peacekeeping to peace-building, and from relief to development.

Indonesia supports in principle the existing mechanism for transparency in armaments under the United Nations Register of Conventional Arms, which is included as one of the recommendations. Apart from the seven major categories of arms included in the Register, its further development should also entail bringing in other categories such as stockpiling, national production and military holdings.

In conclusion, my delegation can go along with the Secretary-General's assessment that, while significant progress has been made in numerous areas through a series of measures in stemming the illicit trade in small arms, other areas present a mixed picture. We should continue to resolve old concerns while identifying new ones, as we look forward to the Second Biennial Meeting of States to consider the implementation of the United Nations Programme of Action on Small Arms and Light Weapons, to be held next year, which will chart a further course of action in preparing for the review conference in 2006.

The President (*spoke in Spanish*): The next speaker is the representative of Sierra Leone, on whom I now call.

Mr. Pemagbi (Sierra Leone): My delegation would like to join others in congratulating you, Sir, on your assumption of the presidency of the Security Council the first month of 2004 and for your efforts to sustain the momentum of the attempt to rid the world of small arms and light weapons.

The title of the agenda item under consideration by the Council is "Small arms". However the issue is, of course, the illicit trade in small arms and light weapons. As the Secretary-General states in his most recent report, the General Assembly recently took an important decision with a view to dealing with this issue: the establishment of an open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.

We consider that to be one of the most far-reaching decisions in current efforts to eradicate what has become another scourge in the world today, especially in Africa. For a country that has experienced the agony and the devastating effects of this inhuman trade, Sierra Leone wholeheartedly supports any action that is directed at the source of the problem — the manufacturing and supply channel. We do so not because we underestimate the need to deal more effectively with the so-called consumer side of the equation but, on the contrary, because we strongly believe that the firearms industry has not done enough, as far as legally-binding measures are concerned, to check the flow of these deadly weapons and to ensure that they do not reach non-State actors.

The General Assembly's decision concerning an international instrument on marking and tracing came within four months of the First Biennial Meeting of States to Consider the Implementation of the 2001 Programme of Action To Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

The General Assembly has already made an invaluable contribution towards the eradication of the problem. The Secretary-General's most recent report (S/2003/1217) focuses on the Security Council's own contribution. In the view of the Sierra Leone delegation, the question is, "What should the Council do, or what is it obligated to do?"

The fact is that Council should continue to acknowledge that the illicit trade in small arms and light weapons poses a serious threat to international peace and security. Therefore, as the organ with primary responsibility for the maintenance of international peace and security, it must assume its responsibility in removing the threat. The Council must go beyond its presidential statements — statements in which it expresses support for such efforts as the drafting of the proposed international instrument on marking and tracing and the establishment of national registers of arms brokers and end-user certificates. These expressions of support for efforts undertaken by Member States and regional organizations are always welcome. They provide the political weight that is often needed to strengthen the implementation of such initiatives. However, in our view the Security Council should, for instance, seek other means of enforcing its arms embargoes.

In this connection, we note the Secretary-General's observation in his most recent report, that while arms embargoes continue to be the most frequent sanctions measure imposed by the Council, they have proved to be extremely difficult to enforce. The Council should, as a matter of urgency, address the problem of lack of compliance by Member States, especially non-compliance that is attributable to inadequate legislation, lack of enforcement or technical capacity. We share the Secretary-General's suggestion that the Council should consider steps that could assist Member States in implementing the mandatory arms embargoes.

Sierra Leone welcomes the decision of the Council to maintain the arms embargo against Liberia. While prospects for peace and stability in the Mano River Union countries have improved considerably

with the expansion of the United Nations peacekeeping operations in Liberia and the start of the disarmament, demobilization and reintegration programme (DDR), we cannot afford to be complacent. The arms embargo must be scrupulously monitored.

We note with satisfaction the observation that the Security Council has focused considerable attention on DDR programmes in United Nations peacekeeping missions. For example, reference is made in the report to the Council's call on parties to conflict in West Africa to recognize the importance of activities related to DDR in post-conflict situations, and specific measures for the collection and disposal of illicit and/or surplus small arms.

We note in paragraph 5 under recommendation 2 of the Secretary-General's report, that the Security Council, in welcoming the identification of arms traffickers who have violated arms embargoes established by the Council, has called on Member States to impose appropriate penalties on such violators.

Sierra Leone believes that the Council should consider what action should be taken when States fail to penalize arms traffickers who violate the Council's arms embargoes.

Recognition of the importance of DDR and related activities cannot be overemphasized. However, the Security Council should find a more practical and effective means of addressing the problem of shortfalls in funding DDR programmes. Timely and adequate funding is critical to the success of DDR programmes and efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons. In the view of the Sierra Leone delegation, actions taken by the Council, as outlined in the latest report of the Secretary-General on small arms, have not adequately addressed the recommendation concerning the funding of DDR programmes through the assessed budget for United Nations peacekeeping operations.

We continue to support the recommendation that the Council should consider strengthening the financing of DDR programmes through the expansion of measures covered under the budget for peacekeeping operations. We agree that this would ensure that DDR activities are not entirely dependent on voluntary contributions from Member States.

In this connection, we recall that last year, in expressing concern about the continuing financial shortfall in our Multi-Donor Trust Fund for DDR, the Council merely urged the Government of Sierra Leone to seek actively the urgently needed additional resources for reintegration. We also recall that the DDR programme initiated and launched by the Government before the 1999 Lomé Peace Agreement stalled miserably because of funding problems.

While the Secretary-General is pleased to note the significant and encouraging progress achieved in the implementation of the various recommendations, Sierra Leone attaches special importance to the issue of secure funding for DDR from the assessed peacekeeping budget — an issue that the Secretary-General has underscored in the three concluding paragraphs of his report.

We trust that the Council will give it the serious attention it deserves in the context of the threat that the illicit trade in small arms and light weapons continues to poses to international peace and security, and the Council's primary responsibility for the maintenance of international peace and security.

The President (*spoke in Spanish*): The next speaker on my list is the representative of Mali, to whom I give the floor.

Mr. Diarra (Mali) (*spoke in French*): Allow me, Sir, to convey to you my delegation's congratulations on your assumption of the presidency of the Security Council for January, and to thank you for having initiated a debate on this subject.

I should like also to congratulate the Secretary-General, Mr. Kofi Annan, for the high quality of his report contained in document S/2003/1217, and the Under-Secretary-General for Disarmament Affairs for having introduced it.

This very useful document provides responses to concerns expressed by the Council in its statement of 31 October 2002, in which the Council requested the identification of

> "initiatives undertaken to implement the recommendations of the Secretary-General on ways and means in which the Security Council could contribute to dealing with the question of the illicit trade in small arms and light weapons in situations under its consideration". (*S/2003/1217, p. 1*)

The situations under consideration by the Council which are fuelled by the illicit trade in small arms are basically confined to the developing countries, in particular those in Africa. In such crisis situations, the risk of the use of weapons of mass destruction is practically nil. However, because of their uncontrolled proliferation, small arms and light weapons have an impact that is almost as devastating, leading to the destruction of human lives, in particular those of the most vulnerable — women and children. But the adverse effects of such crises can also be seen on the weak infrastructure of the affected countries.

Finally, they lead to chronic instability, which affects the international credibility of the entire continent.

Whatever the origins and manifestations of these crises, they have certainly troubled the international community. In Africa, there have been bilateral responses to them, as was the case of Mali in the 1990s, with Algeria's mediation. There have been subregional responses such as the Economic Community of West African States (ECOWAS) Mechanism for Conflict Prevention, Management and Resolution, and the mediation efforts of the Inter-Government Authority on Development (IGAD) and of the southern African mechanism. There have also been also continent-wide responses, through the African Union's Mechanism for Conflict Prevention, Management and Resolution, which has demonstrated its value and which will soon be replaced by the Peace and Security Council and the Africa Peace Fund.

The response has been essentially international in the case of the Security Council, which bears the primary responsibility for the maintenance of international peace and security. This awareness of its responsibilities is the reason why it has simultaneously authorized six peacekeeping operations in our continent. We hope that it will soon authorize the transformation of the United Nations Mission in Côte d'Ivoire (MINUCI) into a United Nations peacekeeping operation.

The efforts of the international community are often thwarted by the persistence of certain crises. Two factors, generally speaking, are behind this situation: the illegal exploitation of natural resources in conflict areas, and the illicit trade in small arms and light weapons. These two phenomena are indeed linked — one fuels the other.

The combat against these practices is being waged at various levels. At the subregional level, for example, there is the ECOWAS moratorium on small arms, which was renewed in 2001; the Protocol adopted by southern Africa, also in 2001; and the draft Protocol for East Africa.

The continent-wide reaction to the illegal proliferation of small arms is enshrined in the Bamako Declaration, which was adopted following the ministerial conference of the Organization of African Unity (OAU) held on 1 December 2000, and the Algiers Action Plan, adopted on 14 September 2002.

But it was the entire international community that mobilized and adopted the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, following the United Nations Conference held from 9-20 July 2001.

The principal organs of the United Nations have also adopted measures in this respect. In resolution 58/241, the General Assembly decided to establish an open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.

The Council endorsed the relevant recommendations of the Secretary-General and, in its declaration of 31 October 2002, asked the Secretary-General to produce the report that is before us.

The recommendations contained in the report are relevant. Some of them were reflected in States' reports on the occasion of the First Biennial Meeting on the implementation of the Programme of Action, to which I referred earlier.

As the first recommendation suggests, my country, Mali, participated in 2003 in the Oslo Conference on the drafting of an international convention on the transfer of arms, and stated its support for the French-Swiss initiative on the traceability of weapons and for the Group of Governmental Experts.

However, effective participation in these initiatives requires technical capacity that my country does not possess. Here I wish to commend the expertise that the Programme for Coordination and Assistance for Security and Development is providing to the

subregion, including my country, with the assistance of the United Nations Development Programme.

With regard to recommendation 5, Mali abides by sanctions and embargoes on arms and is engaged in a second reading of its national law on the circulation of weapons, in order to strengthen control over them.

With regard to recommendation 7, agreements to resolve the crisis in the north of Mali in the 1990s included, at a very early stage, a disarmament, demobilization and reintegration aspect, which made it possible to collect weapons in exchange for micro-development projects to benefit demobilized combatants, simultaneously with the political process of normalization.

Mali was successful in that process thanks to the generosity of its partners. But today's reality is that, because of the large number of hotbeds of tension, post-conflict reconstruction is being sidelined — hence the relevance of recommendation 8, which seeks to increase the budget of peacekeeping operations in this area.

Some of the recommendations are not the responsibility of individual States; their implementation lies with the Organization's principal organs — the General Assembly and the Security Council — between which cooperation would be useful in that regard. My delegation expresses its support for these recommendations.

In conclusion, I should like to emphasize an important aspect: raising awareness of the issue of small arms. To that end, civil society, non-governmental organizations and the media could play a central role.

The President (*spoke in Spanish*): I now call on the representative of Costa Rica.

Mr. Stagno Ugarte (Costa Rica) (*spoke in Spanish*): My delegation is pleased to see you, Sir, the Permanent Representative of Chile, presiding over the Security Council this month. The fact that your country is presiding over the Council during January undoubtedly augurs well for the rest of the year.

The accumulation, proliferation and illegal use of small arms and light weapons pose a threat to the peace and stability of all peoples. The proliferation of such weapons fuels armed conflicts, exacerbates violence, promotes crime and terrorism, contributes to the flow of refugees and internally displaced persons, makes peace processes more difficult and hinders humanitarian assistance. As Barbara Frey, Special Rapporteur of the Sub-Commission on the Promotion and Protection of Human Rights, recognized, "Small arms are used to violate, directly and indirectly, the entire spectrum of human rights" (E/CN.4/Sub.2/2002/39, para. 76).

We are pleased that the Security Council has recognized the pernicious impact of the proliferation of small arms and light weapons and that it has therefore decided to include that subject on its agenda. This body has already adopted a number of valuable recommendations, such as the request that all States use end-user certificates in their arms transfers, the appeal to arms-exporting countries for greater responsibility, the invitation to establish national registers of weapons intermediary firms and the appeal to impose sanctions against those who violate arms embargoes. The implementation of all those recommendations is indispensable, but it is not sufficient in itself.

The international community's action with regard to small arms must go beyond marking weapons and implementing existing embargoes. It is time to look at the problem of small arms from the perspective of human rights. It is time to prohibit the transfer of military equipment or personnel or of financial and logistical support to States whose military units or security forces participate in human rights violations. It is time to prohibit the sale of weapons to those who do not respect democratic principles or have not ratified the principal instruments of human rights or international humanitarian law.

My delegation welcomes the recent creation by the General Assembly of an open-ended working group to negotiate an international instrument that will enable States to identify and trace illicit small arms and light weapons. We also welcome the report of the Group of Experts that designed the reference framework for future negotiations. However, the mandate of those negotiations is limited. It is not sufficient to create norms for tracing and marking; we need to adopt binding norms defining when the use of weapons is legitimate and under what conditions arms transfers can be authorized. To that end, the Government of Costa Rica is promoting a draft framework convention on international arms transfers, prepared by a group of non-governmental organizations, Nobel Peace Prize

laureates and qualified jurists. The draft strives to be a faithful codification of State obligations arising from existing international law, including international humanitarian and human rights law, with regard to arms transfers.

As a basic principle, the draft framework convention establishes that every arms transfer must be authorized. The text also stipulates a number of restrictions on transfers arising directly from existing State obligations under current international humanitarian law, such as the prohibition on the use of weapons that cause excessively injurious or indiscriminate effects. In addition, the draft establishes a number of prohibitions on arms transfers when it is evident that they will be used to violate the Charter of the United Nations, to commit grave violations of human rights or international humanitarian law, or to perpetrate genocide or crimes against humanity.

The framework convention seeks, not to create any new obligations, but to specify categorically the logical and necessary implications of the norms and principles already in force. The draft also seeks the adoption of innovative measures of a precautionary nature that, in principle, should be taken into account whenever arms transfers are authorized. We hope that the draft will become a model for internationally binding agreements that, once adopted, will facilitate coordinated and concrete action involving the regulation of arms transfers.

Furthermore, the Security Council must design new mechanisms to guarantee compliance with arms embargoes. The most recent report of the Secretary-General (S/2003/1217) reveals that compliance with recommendations related to embargoes remains deficient. Suffice it to recall that, in 2001, 54 countries were linked to transfer or resale of weapons in express violation of existing embargoes. In the meantime, the sanctions committees established by the Security Council to verify compliance with such embargoes were unable to take any effective action. That came as no surprise: the sanctions committees are political bodies that lack the technical capacity to carry out genuine verification work. That is why we believe it is necessary to create a mechanism within the Secretariat to proactively monitor the implementation of arms embargoes and to serve as technical support for the sanctions committees' political work.

In the past few years, both the Security Council and the General Assembly have taken a number of positive steps against the scourge of small arms. Some measures have been positive; others have not been effective. Let us continue to move forward; there is still a long road ahead.

The President (*spoke in Spanish*): I now call on the representative of Armenia.

Mr. Martirosyan (Armenia): Since this is the first time I have taken the floor this year, I should like to congratulate the new non-permanent members of the Security Council and to wish them success for the whole period of their tenure.

The problem of combating the illicit trade in small arms and light weapons has gained momentum during the past several years. To address that and many other issues generated by that illicit trade, a Programme of Action was adopted in 2001. Member States were requested to provide information on a voluntary basis on the implementation of the Programme of Action, and my country duly complied with that request by presenting its national report in 2003.

Here, I should like to note that we view the Programme of Action as the starting point of a long, effort-driven process requiring implementation, review, updating and follow-up. The open-ended working group recently established pursuant to resolution 58/241 — adopted only a month ago by the General Assembly — is a further step forward in mobilizing international efforts to effectively curb this problem. In that regard, we should like to express our congratulations to Mr. Anton Thalmann on his nomination as Chairman of the working group, and we wish him and the group every success in carrying out their duties to further this cause. I should like to assure the Council that my country and our delegation stand ready to assist the working group in its efforts in any way possible.

As I just said, Armenia has presented its national report on the implementation of the Programme of Action in Armenia. Without going into much detail, I should merely like to cite recent developments in that field in my country. Combating all types of illicit trade — including the trafficking in small arms and light weapons — remains a priority for the Government of Armenia.

We intend to further develop our national legislation and its enforcement to increase the effectiveness of our efforts towards this goal. To that end, the decision of the Armenian Government on the rules and procedures of the licensing of the production of arms in the Republic of Armenia entered into force in July 2003, adding to the existing laws and regulations and enabling more complete and stricter oversight in this field.

Additionally, the new criminal code, which entered into force on 1 August 2003, has expanded the scope of the existing legislation by directly addressing criminal offences in the illegal manufacture, possession, stockpiling, acquisition, sale, transportation and theft of arms and ammunition or explosives and by defining criminal offences relative to the inaccurate or careless stockpiling of arms.

Notwithstanding all the aforementioned, it should be noted that there are no potentially destabilizing accumulations of small arms and light weapons in the territory of Armenia, and the Government exercises stringent control over the possession, manufacturing and trading of small arms in the territory of the country.

As is commonly recognized now, the issue of small arms and light weapons is not merely an arms control and disarmament issue. It has a human rights dimension. It is linked to terrorism and organized crime, to mention just a few. Henceforth, the problem of small arms and light weapons should be dealt with from an inclusive perspective of national, regional and international security, conflict-prevention and post-conflict peace-building. Therefore, we should maintain a balanced and comprehensive approach to effectively address this issue.

Nonetheless, it should be noted that while small arms and light weapons play a significant role in exacerbating conflicts, the roots of those conflicts lie in political, economic, ethnic and cultural differences and disparities. These are often aggravated by governance-related deficiencies, weak democratic institutions or lack thereof, non-observance of and disrespect for human rights and fundamental freedoms, as well as disregard of the right of peoples to self-determination. We should be aware of the fact that the complex nature of conflicts requires a comprehensive approach rather than reducing it to the problem of small arms and light weapons alone.

Armenia successfully cooperates in this field with regional organizations, the Organization for Security and Cooperation in Europe (OSCE) in particular. We welcome the adoption of the OSCE's best practice guide, which marks further progress in this area. However, further steps could be taken to enhance cooperation by establishing a register of small arms and light weapons, as well as other cooperation mechanisms such as subregional transparency and confidence-building measures with a view to combating illicit trade. Harmonization of national control laws and regulations, as well as the exchange of national lists of registered brokers, can be carried our within subregional and regional frameworks as well. Such initiatives may run parallel to the conflict-resolution efforts in regions such as ours by preventing further arms races and serving as a significant confidence-building measure.

The President (*spoke in Spanish*): I now give the floor to Mr. Abe, Under-Secretary-General for Disarmament Affairs, so that he can respond, perhaps, to some of the comments made by delegations.

Mr. Abe: I shall be very brief. I wish to thank delegations for the expressions of appreciation and encouragement they have given to the work of the Secretariat concerning small arms. The Secretariat will continue working on the question of small arms on the basis of the discussions held in the Council today. The Secretariat will stand ready to assist any further work of the Security Council concerning small arms and light weapons. Finally, the Secretariat will be reporting to the Council as appropriate.

The President (*spoke in Spanish*): As a result of the consultations held among the members of the Council, I have been authorized to make the following statement on behalf of the Council.

(*spoke in English*)

> "The Security Council welcomes the report of the Secretary-General on the implementation of his recommendations to the Council entitled 'Small arms' (S/2003/1217) of 31 December 2003, and reaffirms the statements of its President of 31 October 2002 (S/PRST/2002/30), of 24 September 1999 (S/PRST/1999/28), and of 31 August 2001 (S/PRST/2001/21).
>
> "The Security Council recalls its primary responsibility under the Charter of the United

Nations for the maintenance of international peace and security, in view of which its attention is drawn inevitably to the illicit trade of small arms and light weapons, as such weapons are the most frequently used in armed conflicts.

"The Council reaffirms the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations and, subject to the Charter, the right of each State to import, produce and retain small arms and light weapons for its self-defence and security needs.

"The Council welcomes all efforts already undertaken by Member States and calls upon them to fully implement at the national, regional and international levels the recommendations contained in the Programme of Action adopted in July 2001 by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

"The Council welcomes resolution 58/241 of 23 December 2003 of the General Assembly by which, among other things, it decided to establish an open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons and calls upon all Member States to support all efforts aimed at this purpose.

"The Council encourages the arms-exporting countries to exercise the highest degree of responsibility in small arms and light weapons transactions. It also encourages international and regional cooperation in the consideration of the origin and transfers of small arms and light weapons in order to prevent their diversion to terrorist groups, in particular, Al Qaeda. The Council welcomes the significant steps that have been taken by Member States in this regard. The obligation of Member States to enforce the arms embargo should be coupled with enhanced international and regional cooperation concerning arms exports.

"The Security Council reiterates its call on all Member States to effectively implement arms embargoes and other sanction measures imposed by the Council in its relevant resolutions and urges Member States in a position to do so to provide assistance to interested States in strengthening their capacity to fulfil their obligations in this regard. The Council encourages Members to undertake vigorous actions aimed at restricting the supply of small arms, light weapons and ammunitions to areas of instability. The Council further encourages Member States to provide the Sanctions Committees with available information on alleged violations of arms embargoes and also calls on Member States to give due consideration to the recommendations of the related reports.

"The Council continues to recognize the need to engage the relevant international organizations, non-governmental organizations, business and financial institutions and other actors at the international, regional and local levels to contribute to the implementation of arms embargoes.

"The Security Council reiterates the importance of carrying out disarmament, demobilization and reintegration programmes, an increasingly essential component of peacekeeping mandates, as comprehensively and effectively as possible in post-conflict situations under its consideration.

"The Security Council takes note of the inclusion of man-portable air defence systems (MANPADS) on an exceptional basis in the United Nations Register of Conventional Arms.

"The Security Council requests the Secretary-General to update the Council for its next meeting on the subject on the further implementation of the recommendations contained in his report entitled 'Small Arms' of 31 December 2003."

(*spoke in Spanish*)

This statement will be issued as a document of the Security Council under the symbol S/PRST/2004/1.

As there are no further speakers inscribed on my list, the Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.10 p.m.

United Nations S/PV.4897

Security Council

Distr.: General
19 January 2004

Original: English

Official communiqué of the 4897th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Monday, 19 January 2004, at 5 p.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"At its 4897th meeting, held in private on 19 January 2004, the Security Council considered the item entitled 'The situation between Iraq and Kuwait'.

"The President, with the consent of the Council extended an invitation under rule 37 of the Council's provisional rules of procedure to Dr. Adnan Pachachi, Chairman of the Iraqi Governing Council.

"Members of the Council and the Chairman of the Iraqi Governing Council had a constructive exchange of views."

04-21283 (E) 190104